

## PROPOSED CHANGES

### TITLE 312 NATURAL RESOURCES COMMISSION

#### **Proposed Rule** LSA Document #14-

Amends 312 IAC 9-1-5.3 governing the definition of crossbow. Amends 312 IAC 9-1-12 to correct the definition of “possession” of wild animals. Repeals 312 IAC 9-1-9. Repeals 312 IAC 9-2-1. Amends 312 IAC 9-2-4 governing the setting of traps or nets to take a wild animal. Repeals 312 IAC 9-2-5. Amends 312 IAC 9-3-2 to governing deer hunting. Amends 312 IAC 9-3-3 governing firearms and other equipment authorized for deer hunting. Amends 312 IAC 9-3-4 governing season dates and bag limits for the youth deer season and deer reduction zones. Amends 312 IAC 9-3-9 governing wild animals found dead. Amends 312 IAC 9-3-12 governing the taking of coyotes. Amends 312 IAC 9-3-15 governing the taking of nuisance wild animals on private property. Amends 312 IAC 9-3-6 governing the hunting of cottontail rabbits on a department property. Amends 312 IAC 9-3-18.6 governing wild hogs. Amends 312 IAC 9-4-8 governing the hunting of ring-necked pheasants on department properties. Amends 312 IAC 9-4-9 governing the hunting of bobwhite quail on department properties. Amends 312 IAC 9-4-10 to close the season for ruffed grouse. Amends 312 IAC 9-4-11 governing hunting wild turkeys. Amends 312 IAC 9-5-6 governing the collection of reptiles and amphibians. Amends 312 IAC 9-5-7 governing the sale and transport for sale of reptiles and amphibians native to Indiana. Repeals 312 IAC 9-5-10. Amends 312 IAC 9-6-1 governing definitions pertaining to fish and fishing activities. Amends 312 IAC 9-6-7 governing exotic fish. Amends 312 IAC 9-6-9 governing endangered species of fish. Amends 312 IAC 9-7-1 governing license requirements for sport fishing. Amends 312 IAC 9-7-2 governing sport fishing methods, except on the Ohio River. Amends 312 IAC 9-7-6 governing the taking of black bass. Amends 312 IAC 9-7-4 governing the taking of muskellunge and tiger muskellunge. Amends 312 IAC 9-7-12 governing the taking of walleye, sauger, and saugeye. Amends 312 IAC 9-7-9 governing the taking of crappie. Amends 312 IAC 9-7-10 governing the taking of sunfish. Amends 312 IAC 9-7-14 governing fish with no bag limit, possession limit, or size limit. River. Amends 312 IAC 9-8-4 governing commercial fishing on the Wabash River boundary waters. Amends 312 IAC 9-8-5 governing commercial fishing on inland water. Amends 312 IAC 9-12-4 governing notations on hunting license. Effective 30 days after filing with the Publisher.

312 IAC 9-1-5.3	312 IAC 9-5-6
312 IAC 9-1-9	312 IAC 9-5-7
312 IAC 9-1-12	312 IAC 9-6-1
312 IAC 9-2-1	312 IAC 9-6-7
312 IAC 9-2-4	312 IAC 9-6-9
312 IAC 9-2-5	312 IAC 9-7-1
312 IAC 9-3-2	312 IAC 9-7-2
312 IAC 9-3-3	312 IAC 9-7-4
312 IAC 9-3-4	312 IAC 9-7-6
312 IAC 9-3-9	312 IAC 9-7-9
312 IAC 9-3-12	312 IAC 9-7-10
312 IAC 9-3-15	312 IAC 9-7-12
312 IAC 9-3-16	312 IAC 9-7-14
312 IAC 9-3-18.6	312 IAC 9-8-4
312 IAC 9-4-9	312 IAC 9-8-5
312 IAC 9-4-10	312 IAC 9-12-4
312 IAC 9-4-11	

SECTION 1. 312 IAC 9-1-5.3 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-1-5.3 "Crossbow" defined**

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 5.3. "Crossbow" means a device for propelling an arrow by means of ~~traverse~~ limbs mounted on a stock and a string and having a working safety that may be drawn, held, and released by a mechanical device and has the following:

(1) At least one hundred twenty-five (125) pounds pull.

(2) A mechanical safety.

*(Natural Resources Commission; 312 IAC 9-1-5.3; filed Dec 1, 2011, 4:01 p.m.: 20111228-IR-312110101FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 2. 312 IAC 9-3-2 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-1-12 "Possession" defined**

Authority: IC 14-11-2-1; IC 14-22-2-6

Affected: IC 14-22

Sec. 12. "Possession" means to:

(1) have direct physical control or knowingly have the power and the intention to exercise dominion or control over wild animals that are not alive; ~~and or~~

(2) knowingly have the power and intention of keeping a live wild animal in captivity where it cannot escape into the wild.

*(Natural Resources Commission; 312 IAC 9-1-12; filed May 12, 1997, 10:00 a.m.: 20 IR 2699; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Feb 6, 2012, 3:10 p.m.: 20120307-IR-312110470FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 3. 312 IAC 9-2-4 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-2-4 Restrictions on the placement of traps**

Authority: IC 14-22-2-6

Affected: IC 14-22

Sec. 4. **(a)** An individual must not set or place a stake, a chain, a drag, a trap, ~~another~~ **any other** portion of a trap ~~that is designed to take a wild animal~~; **or a net that is designed to take a wild animal** except:

(1) during a season established for trapping that wild animal;

(2) for coyotes, during any time of year by a person who possesses that land or has ~~written~~ permission from the person who possesses that land;

(3) for ~~mammals~~ **wild animals** that are damaging property and taken by a resident landowner or tenant under 312 IAC 9-3-15;

(4) **for raptors** with a falconry license ~~under~~ **in accordance with** 312 IAC 9-10-13;

(5) with a scientific purposes license ~~under~~ **in accordance with** 312 IAC 9-10-6; or

(6) with a nuisance wild animal control permit in accordance with 312 IAC 9-10-11.

**(b)** A person must not place or cause to be placed a trap (set or unset) capable of taking a migratory bird on a pole or post, unless the person possesses a permit issued by the U.S. Fish and Wildlife Service under 50 CFR 21, Subpart D and one (1) of the following:

**(1) A scientific purposes license issued by the department under 312 IAC 9-10-6; or**

**(2) A migratory bird depredation permit issued by the department under 312 IAC 9-10-23.**

*(Natural Resources Commission; 312 IAC 9-2-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2700; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 4. 312 IAC 9-3-2 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-3-2 General requirements and licenses for hunting deer**

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22; IC 35-47-2

Sec. 2. (a) This section and sections 3 through 10 of this rule govern the:

- (1) hunting;
- (2) transportation; and
- (3) disposal;

of deer.

(b) Species of deer other than white-tailed deer (*Odocoileus virginianus*) are exempted from the following:

- (1) This section.
- (2) Sections 3 through 9 of this rule.

An individual who claims the exemption provided under this subsection must prove the deer is other than a white-tailed deer.

(c) The licenses identified in this section are nonexclusive. An individual may apply for one (1) or more of these licenses.

(d) Except as provided under IC 14-22-11-1 and IC 14-22-11-11, an individual must not hunt deer:

- (1) unless the individual possesses a completed and signed license authorized under this section bearing the individual's name; or
- (2) with a deer license issued to another individual.

(e) A youth hunter may take a deer during the youth deer season established in section 4(b) of this rule only if:

(1) issued a license to hunt deer with:

- (A) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (B) a nonresident youth deer firearms license under IC 14-22-12-1(a)(29);
- (C) a nonresident youth deer muzzleloader license under IC 14-22-12-1(a)(30);
- (D) a nonresident youth deer archery license under IC 14-22-12-1(a)(31);
- (E) a nonresident youth extra deer crossbow license under IC 14-22-12-1(a)(32);
- (F) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
- (G) a nonresident youth extra deer bonus antlerless license under IC 14-22-12-1(a)(32);
- (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
- (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
- (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or

(2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

(f) An individual may take a deer with a long bow, a recurve bow, or a compound bow during the archery season established in section 4(c) of this rule only if:

(1) issued a license to hunt deer by bow and arrows with:

- (A) a resident deer archery license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(14);
- (B) a nonresident deer archery license under IC 14-22-12-1(a)(17);
- (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) a nonresident youth deer archery license under IC 14-22-12-1(a)(31);
- (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
- (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
- (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
- (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
- (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
- (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or

(2) hunting without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

(g) An individual may take a deer with a crossbow during the archery season established in section 4(c) of this rule only if:

(1) issued a license to hunt deer with:

- (A) a resident extra deer crossbow license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(14);
- (B) a nonresident extra deer crossbow license under IC 14-22-12-1(a)(17);
- (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) a nonresident youth extra deer crossbow license under IC 14-22-12-1(a)(31);
- (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
- (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
- (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
- (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
- (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
- (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or

(2) hunting without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

(h) An individual may take a deer with a firearm during the firearms season established in section 4(e) of this rule only if:

(1) issued a license to hunt deer by firearms with:

- (A) a resident deer firearms license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(12);
- (B) a nonresident deer firearms license under IC 14-22-12-1(a)(15);
- (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) a nonresident youth deer firearms license under IC 14-22-12-1(a)(29);
- (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
- (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
- (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
- (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
- (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
- (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or

- (2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.
- (i) An individual may take a deer with a muzzleloader during the muzzleloader season established in section 4(f) of this rule only if:
- (1) issued a license to hunt deer by a muzzleloader with:
    - (A) a resident deer muzzleloader license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(13);
    - (B) a nonresident deer muzzleloader license under IC 14-22-12-1(a)(16);
    - (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
    - (D) a nonresident youth deer muzzleloader license under IC 14-22-12-1(a)(30);
    - (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
    - (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
    - (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
    - (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
    - (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
    - (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or
  - (2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.
- (j) An individual may take a deer during the ~~urban~~ deer **reduction** season established in section 4(d) of this rule only if:
- (1) issued a license to hunt deer with:
    - (A) a resident extra ~~urban~~ deer **reduction** zone license under IC 14-22-12-1(a)(18);
    - (B) a nonresident extra ~~urban~~ deer **reduction** zone license under IC 14-22-12-1(a)(19);
    - (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
    - (D) a nonresident youth extra ~~urban~~ deer **reduction** zone license under IC 14-22-12-1(a)(32);
    - (E) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7;
    - (F) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**; or
    - (G) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
  - (2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.
- (k) An individual may take a deer during the special antlerless deer season established in section 4(h) of this rule only if:
- (1) issued a license to hunt deer with:
    - (A) a resident extra deer bonus antlerless license under IC 14-22-12-1(a)(18);
    - (B) a nonresident extra deer bonus antlerless license under IC 14-22-12-1(a)(19);
    - (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
    - (D) a nonresident youth extra deer bonus antlerless license under IC 14-22-12-1(a)(32);
    - (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
    - (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
    - (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
    - (H) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7;
    - (I) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
 or

(J) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or

(2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

(l) An individual may take an antlerless deer in a designated county, by authority of an extra deer bonus antlerless license, only as authorized under section 4(g) and 4(h) of this rule.

(m) An individual must, immediately upon taking a deer, record on a piece of paper the following:

(1) The name and address of the individual who took the deer.

(2) The license number (if applicable) of the individual who took the deer.

(3) The sex of the deer.

(4) The month and day the deer was taken.

The individual that takes the deer must retain possession of the completed piece of paper until the paper is attached to the deer. The piece of paper must be attached to the deer if the individual who takes the deer does not maintain direct physical control of and constant visual contact with the deer carcass.

(n) An individual who takes a deer must cause delivery of the deer carcass to an official checking station for registration in the name of the individual who took the deer or cause the reporting of the take by providing the information required by the department's electronic harvest reporting system on the occurrence of the earlier of the following:

(1) Within forty-eight (48) hours of the taking of the deer.

(2) Before the deer is removed from this state.

The individual who delivers the deer carcass to an official checking station for registration or reports the take on the department's electronic harvest reporting system must provide true and accurate information that includes the information on the piece of paper described in subsection (m).

(o) The head of a deer must remain attached to the carcass until the deer is registered either at an official checking station or through the department's electronic harvest reporting system.

(p) When a deer is registered, the following:

(1) At an official deer checking station, the checking station operator must ~~record the permanent seal number on the log~~, collect the piece of paper described in subsection (m), **and give the seal to the individual enter the report the take on department's electronic harvest reporting system, and give the individual the confirmation number.** ~~The individual must immediately affix the seal:~~

~~(A) between a tendon and bone;~~

~~(B) through a section of skin or flesh; or~~

~~(C) around a branched antler;~~

~~to prevent its removal (without cutting the seal or the body part to which it is affixed).~~

~~The seal must be maintained until processing of the deer begins.~~

(2) Using the department's electronic harvest reporting system, the individual who took the deer must record the confirmation number on the piece of paper described in subsection (m). This confirmation number must be maintained with the deer until processing of the deer begins.

(q) The checking station operator must do the following:

(1) Accurately ~~and legibly complete all forms provided by~~ **report the department take on the department's electronic harvest reporting system.**

(2) ~~Make those forms available to department personnel upon request~~ **Give the individual the confirmation number provided by the department.**

(r) The ~~permanent seal issued by the checking station or the~~ department's electronic harvest confirmation number must be maintained with a deer that is gifted to another individual until processing of the deer begins.

(s) An individual must not hunt deer except from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

(t) An individual must wear hunter orange:

(1) in a season set forth in section 4(b), 4(e), 4(f), and 4(h) of this rule;

- (2) in that portion of the archery season set forth in section 4(c) of this rule that overlaps a season set forth in section 4(b), 4(e), 4(f), and 4(h) of this rule;
  - (3) when firearms are authorized under section 8(b) of this rule;
  - (4) in that portion of the ~~urban~~ deer **reduction** season set forth in section 4(d) of this rule that overlaps a season and is in a location where hunting is authorized in section 4(b), 4(e), 4(f), and 4(h) of this rule; and
  - (5) in the special antlerless season in the locations where the season is authorized in section 4(h) of this rule.
- (u) An individual must not take more than one (1) antlered deer during the special youth, archery, firearm, and muzzleloader seasons authorized in section 4 of this rule from the first day of the special youth deer season of one (1) calendar year through the last day of the archery season in the following calendar year.
- (v) An individual must not hunt deer with the use or aid of:
- (1) bait, which includes:
    - (A) a food that is transported and placed for consumption, including, but not limited to, piles of corn and apples placed in the field;
    - (B) a prepared solid or liquid that is manufactured and intended for consumption by livestock or wild deer, including, but not limited to, commercial baits and food supplements;
    - (C) salt; or
    - (D) mineral supplements;
  - (2) snares;
  - (3) dogs; or
  - (4) other domesticated animals.
- The use of manufactured scents and lures or similar chemical or natural attractants is not prohibited.
- (w) An area is considered baited for ten (10) days after the removal of the bait and the baited soil. Hunting an area, such as an orchard, which may be attractive to deer as the result of normal agricultural activity, is not prohibited.
- (x) Notwithstanding subsection (v), an individual may use dogs only while on a leash to track or trail wounded deer.
- (y) Notwithstanding subsection (v), an individual may use:
- (1) donkeys;
  - (2) mules; and
  - (3) horses;

for transportation to and from a hunt but not while hunting.

(z) An individual must not hunt white-tailed deer possessed under the authority of a game breeder license under 312 IAC 9-10-4.

(aa) An individual may possess a handgun in accordance with IC 35-47 while hunting deer.

(bb) "Deer license bundle" means a multiple privilege deer license that replaces a valid deer hunting license and allows an individual to take one (1) antlered deer and two (2) antlerless deer or three (3) antlerless deer in accordance with this section and sections 3 and 4 of this rule in the following seasons combined in one (1) year:

- (1) Special youth.
- (2) Archery.
- (3) Firearms.
- (4) Muzzleloader.
- (5) Special antlerless only.

*(Natural Resources Commission; 312 IAC 9-3-2; filed May 12, 1997, 10:00 a.m.: 20 IR 2702; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1528; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 536; filed May 12, 2006, 10:38 a.m.: 29 IR 3344; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; errata filed Jul 21, 2006, 1:56 p.m.: 20060802-IR-312050214ACA; filed Jul 10, 2007, 2:09 p.m.: 20070808-IR-312060572FRA; readopted filed Nov 24, 2008, 11:08 a.m.:*

*20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.; 20091202-IR-312090044FRA; filed Dec 1, 2011, 4:01 p.m.; 20111228-IR-312110101FRA; errata filed Jan 10, 2012, 1:19 p.m.; 20120125-IR-312120006ACA; filed Jul 9, 2012, 3:00 p.m.; 20120808-IR-312120065FRA; filed Dec 18, 2012, 2:00 p.m.; 20130116-IR-312120115FRA; filed Sep 13, 2013, 3:02 p.m.; 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.; 20140618-IR-312140017RFA)*

SECTION 5. 312 IAC 9-3-3 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-3 Equipment for deer hunting

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22; IC 35-47-2

Sec. 3. (a) During the youth special deer season established in section 4(b) of this rule, a youth hunter must hunt deer only with the following equipment:

- (1) A bow and arrow as described in subsection (b)(1) through (b)(5).
- (2) A crossbow as defined in 312 IAC 9-1-5.3.
- (3) A shotgun as described in subsection (d)(1).
- (4) A muzzleloading long gun as described in subsection (d)(3).
- (5) A rifle, with the use of cartridges described in subsection (d)(4).

(b) During the archery season established in section 4(c) of this rule, an individual must hunt deer only with equipment as follows:

- (1) With a long bow, recurve bow, or compound bow that has at least thirty-five (35) pounds pull with a valid license identified at section 2(f) of this rule.
- (2) With a crossbow with a valid license identified at section 2(g) of this rule.
- (3) Arrows or bolts must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.
- (4) Poisoned or explosive arrows or bolts are unlawful.
- (5) For long bows, recurve bows, and compound bows no portion of the bow's riser (handle) or any:

- (A) track;
- (B) trough;
- (C) channel;
- (D) arrow rest; or
- (E) other device;

that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(c) During the firearms season established in section 4(e) of this rule and the special antlerless season established in section 4(h) of this rule, an individual must hunt deer only with any of the following equipment:

- (1) A shotgun.
- (2) A shotgun with rifled barrel.
- (3) A handgun.
- (4) A muzzleloading long gun.
- (5) A muzzleloading handgun.
- (6) A rifle, with the use of cartridges described in subsection (d)(4) only.

(d) As used in section 2 of this rule, this section, and sections 4 through 8 of this rule, a firearm must meet the following specifications:

- (1) A shotgun must have a gauge 10, 12, 16, 20, **28** or .410 bore loaded with a single projectile.
- (2) A handgun must:
  - (A) conform to the requirements of IC ~~35-47-2~~ **35-47-1-6**;
  - (B) have a barrel at least four (4) inches long;



- (C) fire a bullet of two hundred forty-three thousandths (.243) inch diameter or larger; and
- (D) not be a rifle that has a barrel less than eighteen (18) inches ~~or is designed or redesigned to be fired from the shoulder.~~

The handgun cartridge case, without bullet, must be at least one and sixteen-hundredths (1.16) inches long. Full metal jacketed bullets are unlawful. All 25/20, 32/20, 30 carbine, and 38 special ammunition is prohibited.

(3) A muzzleloading long gun must be .44 caliber or larger, loaded with a bullet at least three hundred fifty-seven thousandths (.357) inch or larger. A muzzleloading handgun must be single shot, .50 caliber or larger, loaded with bullets at least .44 caliber and have a barrel at least twelve (12) inches long. The length of a muzzleloading handgun barrel is determined by measuring from the base of the breech plug, excluding tangs and other projections, to the end of the barrel, including the muzzle crown. A muzzleloading gun must be capable of being loaded only from the muzzle, including both powder and bullet.

(4) A rifle must fire a cartridge that meets the following specifications:

- (A) Fire a bullet of ~~three hundred fifty-seven thousandths (.357)~~ **two hundred forty-three thousandths (.243)** of an inch diameter or larger.
- (B) Have a minimum case length of one and sixteen-hundredths (1.16) inches.
- ~~(C) Have a maximum case length of one and eight tenths (1.8) inches.~~

**Full metal jacketed bullets are unlawful.**

(e) During the muzzleloader season established in section 4(f) of this rule, an individual must hunt deer only with a:

- (1) muzzleloading long gun as described in subsection (d)(3); or
- (2) muzzleloading handgun as described in subsection (d)(3).

(f) During the ~~urban~~ deer **reduction** season established in section 4(d) of this rule, an individual must hunt deer with bows and arrows described in section 3(b) of this rule **from September 15 through January 31 of the following year, and with firearms described in section 3(c) of this rule from the first Saturday after November 11 through January 31 of the following year.**

(g) An individual must not erect, place, or hunt from a permanent tree or ground blind on state owned lands. A tree or ground blind placed on:

- (1) a DNR property as defined at 312 IAC 8-1.5-6;
- (2) U.S. Forest Service lands; or
- (3) any national wildlife refuge;

must be portable and may be left overnight only between **noon on September 15** and January 10. A fastener used in conjunction with a tree blind and a tree or pole climber that penetrates a tree more than one-half (1/2) inch is prohibited. Each tree or ground blind must be legibly marked with the name, address, and telephone number of the owner of the blind in the English language **or the individual's customer identification number issued by the department.**

(h) An individual must not use infrared sensors to locate or take deer. An individual must not hunt or retrieve deer with the aid of an infrared detector.

(i) An individual must not possess or use an electronic deer call while hunting deer. (*Natural Resources Commission; 312 IAC 9-3-3; filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 13, 1997, 12:09 p.m.: 21 IR 1272; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; filed Jun 29, 2007, 2:30 p.m.: 20070725-IR-312060272FRA; filed Sep 6, 2007, 12:20 p.m.: 20071003-IR-312070023FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; filed Dec 1, 2011, 4:01 p.m.: 20111228-IR-312110101FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; errata filed Dec 6, 2013, 11:12 a.m.: 20140101-IR-312130537ACA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 6. 312 IAC 9-3-4 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-4 Season dates and bag limits

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 4. (a) An individual must not take more than one (1) deer with each deer license.

(b) The special youth deer season is two (2) consecutive days beginning on the Saturday immediately before October 1 or as approved annually by the director.

(1) The seasonal limit for hunting deer under this subsection is one (1) antlered deer and the number of antlerless deer established under subsection (g) for the county being hunted. **If the county being hunted is designated as an "A" county under subsection (g), the youth hunter may take no more than one (1) antlerless deer under this subsection.**

(2) A youth hunter who takes an antlered deer under this subsection may not take another antlered deer during the:

(A) archery seasons established in subsection (c);

(B) firearm season established in subsection (e); or

(C) muzzleloader season established in subsection (f).

(3) As used in this section, "youth" means an individual who is less than eighteen (18) years of age by the date of the hunt.

(4) A youth who hunts a deer under this subsection must be accompanied by an adult of at least eighteen (18) years of age who:

(A) does not possess a firearm, bow and arrow, or crossbow while in the field, **except for a handgun carried lawfully in accordance with IC 35-47-2;**

(B) possesses a valid hunting license of any type that is not an apprentice license **unless exempt from needing a hunting license under IC 14-22-11-1 and 312 IAC 9-2-14;**

(C) must not accompany more than two (2) youth hunters at any one (1) time; and

(D) must be in close proximity and able to communicate with the youth hunter at all times.

(c) The archery deer season is from October 1 through the first Sunday in January. An individual must take not more than two (2) deer of which only one (1) may be antlered under this subsection.

(d) The ~~urban~~ deer **reduction** season is as follows:

(1) From September 15 through January 31 of the following year in an ~~urban~~ deer **reduction** zone.

(2) Under this subsection:

(A) An individual must take not more than ~~four (4)~~ **ten (10)** deer of which only one (1) may be antlered.

(B) At least one (1) antlerless deer must be taken in ~~an urban~~ a deer **reduction** zone prior to taking an antlered deer.

(3) A deer taken under this subsection does not count against a bag limit for deer set elsewhere in this rule.

(4) ~~The following areas have been designated as urban~~ deer **reduction** zones subject to the ~~urban~~ deer **reduction** season **shall be established on an annual basis by a temporary rule authorized by the director.**

(A) ~~The Indianapolis urban deer zone includes the following:~~

(i) ~~All of Marion County.~~

(ii) ~~That portion of Hendricks County east of State Highway 267.~~

(iii) ~~The southeast portion of Boone County as bounded by the following:~~

(AA) ~~State Highway 267.~~

(BB) ~~Interstate Highway 65.~~

(CC) ~~State Highway 32.~~

- ~~(iv) That portion of Hamilton County south of State Highway 32.~~
- ~~(B) The Fort Wayne urban deer zone includes that portion of Allen County lying within the bounds of Interstate Highway 69 and State Highway 469.~~
- ~~(C) The Evansville urban deer zone includes all of Vanderburgh County.~~
- ~~(D) The Lafayette urban deer zone includes the portion of Tippecanoe County north of State Highway 28.~~
- ~~(E) The Lake County urban deer zone includes all of Lake County.~~
- ~~(F) The Porter County urban deer zone includes all of Porter County.~~
- ~~(G) The Michigan City urban deer zone includes that portion of LaPorte County north of U.S. Highway 94.~~
- ~~(H) The Warsaw urban deer zone includes the portion of Kosciusko County within the corporate limits of the city of Warsaw.~~
- (e) The firearms deer season is from the first Saturday after November 11 and continues for an additional fifteen (15) days. An individual must take not more than one (1) antlered deer under this subsection.
- (f) The deer hunting season for only using a muzzleloading long gun or muzzleloading handgun is from the first Saturday after the closing day of firearms season as established in subsection (e) and continues for an additional fifteen (15) days. An individual must not take more than one (1) deer of either sex under this subsection.
- (g) The season and bag limit for hunting antlerless deer in a designated county, by authority of an extra deer bonus antlerless license, shall be established on an annual basis by a temporary rule authorized by the director.
- (h) The special antlerless deer season is from December 26 through the first Sunday in January of the following year in counties with an antlerless quota of four (4) or more deer. An individual may take only antlerless deer under this subsection and may take only the number established under subsection (g) for the county being hunted. *(Natural Resources Commission; 312 IAC 9-3-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 5, 1997, 3:25 p.m.: 21 IR 930; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538; filed May 25, 2005, 10:15 a.m.: 28 IR 2945; filed Jun 29, 2007, 2:30 p.m.: 20070725-IR-312060272FRA; filed Jul 10, 2007, 2:09 p.m.: 20070808-IR-312060572FRA; filed Sep 6, 2007, 12:20 p.m.: 20071003-IR-312070023FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; filed Nov 12, 2009, 3:53 p.m.: 20091209-IR-312090060FRA; filed Dec 1, 2011, 4:01 p.m.: 20111228-IR-312110101FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 7. 312 IAC 9-3-9 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-9 Wild animals killed by other means; disposition  
 Authority: IC 14-10-2-4; IC 14-22-2-6  
 Affected: IC 14-22

Sec. 9. (a) ~~If a~~ **This section governs the following species of wild animals that die following a collision with a motor vehicle or are found dead:**

- (1) white-tailed deer;
- (2) fox or gray squirrel;
- (3) eastern cottontail rabbit;
- (4) furbearing mammal;
- (5) river otter;
- (6) wild turkey;
- (7) bobwhite quail; or
- (8) ring-necked pheasant;

~~dies following a collision with a motor vehicle:~~

- ~~(1) a conservation officer;~~
- ~~(2) another law enforcement officer;~~
- ~~(3) a district wildlife biologist for the department; or~~
- ~~(4) a property manager or assistant property manager for the department;~~

~~may issue a departmental permit to an individual to possess the carcass of the deer.~~

**(b) ~~If a deer is found dead~~ An individual may possess a species of wild animal listed in subsection (a) with a special purpose salvage permit issued in accordance with 312 IAC 9-10-13.5 or a permit issued by:**

- (1) a conservation officer;
- (2) a district wildlife biologist for the department;
- (3) a property manager or assistant property manager for the department; or
- (4) an individual designated by the conservation officer;

~~may issue a departmental permit to possess the deer.~~ *(Natural Resources Commission; 312 IAC 9-3-9; filed May 12, 1997, 10:00 a.m.: 20 IR 2706; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

#### SECTION 8. 312 IAC 9-3-12 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-12 Foxes, coyotes, and skunks

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 12. (a) An individual may hunt:

- (1) red foxes (*Vulpes vulpes*); and
- (2) gray foxes (*Urocyon cinereoargenteus*);

from noon on October 15 until noon on February 28 of the following year.

(b) An individual may trap:

- (1) red foxes (*Vulpes vulpes*); and
- (2) gray foxes (*Urocyon cinereoargenteus*);

from 8 a.m. on October 15 until noon on January 31 of the following year.

(c) Except as provided in subsection (d), an individual may:

(1) hunt:

- (A) coyotes (*Canis latrans*); and
- (B) striped skunks (*Mephitis mephitis*);

from noon on October 15 until noon on March 15 of the following year; and

(2) trap:

- (A) coyotes (*Canis latrans*); and
- (B) striped skunks (*Mephitis mephitis*);

from 8 a.m. on October 15 until noon on March 15 of the following year.

(d) A person who possesses land, or another person ~~designated in writing~~ **authorized** by that person, may take coyotes on that land at any time. A live coyote taken under this subsection from March 16 through October 14:

- (1) must be euthanized within twenty-four (24) hours of capture; and
- (2) shall not be:
  - (A) possessed for more than twenty-four (24) hours;
  - (B) sold;
  - (C) traded;
  - (D) bartered; or

(E) gifted.

*(Natural Resources Commission; 312 IAC 9-3-12; filed May 12, 1997, 10:00 a.m.: 20 IR 2706; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 539; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; filed Apr 4, 2008, 2:56 p.m.: 20080430-IR-312070659FRA; filed Jul 31, 2008, 4:06 p.m.: 20080827-IR-312070749FRA; errata filed Oct 30, 2008, 10:56 a.m.: 20081119-IR-312080832ACA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 9. 312 IAC 9-3-15 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-15 Taking beavers, minks, muskrats, long-tailed weasels, red foxes, gray foxes, opossums, skunks, raccoons, squirrels, or mute swans on private property

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 15. (a) Notwithstanding the requirements of this rule, a resident landowner or a tenant may **take the following species of wild animals**, without a permit at any time, ~~take~~:

- (1) a beaver;
- (2) a mink;
- (3) a muskrat;
- (4) a long-tailed weasel;
- (5) a red fox;
- (6) a gray fox;
- (7) an opossum;
- (8) a skunk;
- (9) a raccoon;
- (10) a fox squirrel;
- (11) a gray squirrel; or
- (12) a mute swan;

~~That if the wild animal is discovered while damaging:~~

**(A) causing damage or threatening to cause damage to property; or**

**(B) posing a health or safety threat to persons or domestic animals.**

(b) An individual who takes a wild animal under subsection (a) must comply with section 18 of this rule and do one (1) of the following:

- (1) Release the wild animal on land in the county where the wild animal was captured only with permission of the landowner or property manager.
- (2) Euthanize the wild animal within twenty-four (24) hours of capture.

(c) An individual who takes a wild animal under subsection (a) must not do the following:

- (1) Possess the wild animal for more than twenty-four (24) hours.
- (2) Sell, trade, barter, or gift the wild animal.
- (3) Use a method prohibited in Section 18 of this rule.**

**(d) An individual may take a wild animal listed in subsection (a) for a resident landowner or tenant with written permission from the landowner or tenant and with no compensation of any kind.**

**(e) As used in this section, a landowner or tenant is a person as defined in IC 14-8-2-202.**

*(Natural Resources Commission; 312 IAC 9-3-15; filed May 12, 1997, 10:00 a.m.: 20 IR 2707; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 540; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; filed Jul 5, 2011, 1:37 p.m.: 20110803-IR-312100614FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 9. 312 IAC 9-3-16 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-3-16 Cottontail rabbits**

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 16. (a) An individual may take eastern cottontail rabbits (*Sylvilagus floridanus*) from November 1 through February 28 of the following year.

(b) An individual may take not more than five (5) eastern cottontail rabbits per day.

(c) An individual must not do the following:

(1) Hunt rabbits unless that person wears hunter orange.

(2) Remove, dislodge, or attempt to remove or dislodge a rabbit from a hole, den, cavity, or tree hollow with the aid of any of the following:

(A) A ferret or other small animal.

(B) A mechanical device.

(C) A chemical.

(D) Smoke.

(E) Fire.

(F) A fume.

**(3) Hunt rabbits during the month of February on a department fish and wildlife area, Salamonie Lake, Mississinewa Lake, or Patoka Lake except from one-half (1/2) hour before sunrise to one-half (1/2) hour before sunset.**

(d) A person must not possess a live eastern cottontail rabbit outside the season established in subsection (a) except with one (1) of the following:

(1) A game breeder license under 312 IAC 9-10-4.

(2) A wild animal possession permit under 312 IAC 9-11.

(3) A wild animal rehabilitation permit under 312 IAC 9-10-9.

(4) A scientific purposes license under 312 IAC 9-10-6.

(5) A nuisance wild animal control permit under 312 IAC 9-10-11.

(6) An educational or scientific institution registered or licensed with the United States Department of Agriculture in accordance with 9 CFR, Chapter 1, Subchapter A, Parts I through IV.

(7) A breeder or dealer license issued by the United States Department of Agriculture under 9 CFR, Chapter 1, Subchapter A, Parts I through IV.

(e) An individual who lawfully takes a rabbit may give to another individual one (1) or more carcasses of a rabbit, with no compensation of any kind. A rabbit that is gifted must have a tag attached that contains the following information:

(1) The hunter's name and address.

(2) The total number of rabbits taken.

(3) The date the rabbit was taken.

(4) The signature of the hunter who took the rabbit.

(f) A carcass of an eastern cottontail rabbit may be possessed by the following:

(1) The individual who lawfully took the eastern cottontail rabbit during the season established in subsection (a).

(2) An individual who received the carcass under subsection (e).

(3) An individual with a valid taxidermy license under IC 14-22-21 and 312 IAC 9-10-5.

(4) An individual with a valid scientific purposes license under 312 IAC 9-10-6.

(5) An individual with a valid nuisance wild animal control permit under 312 IAC 9-10-11.

(6) An individual with a valid special purpose salvage permit under 312 IAC 9-10-13.5.

(g) A person must not sell a live eastern cottontail rabbit except under a valid game breeder license under IC 14-22-20 and 312 IAC 9-10-4. (*Natural Resources Commission; 312 IAC 9-3-16; filed May 12, 1997, 10:00 a.m.: 20 IR 2707; readopted filed July 28, 2003, 12:00 p.m.: 27 IR 286; filed Jan 8, 2007, 9:11 a.m.: 20070207-IR-312060193FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

SECTION 10. 312 IAC 9-3-18.6 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-18.6 Wild Pigs

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 18.6. (a) As used in this section, "wild ~~hog~~ pig" means any feral, untamed, or undomesticated hog from the family Suidae or family Tayassuidae that has one (1) or more of the following characteristics:

- (1) Has acclimated to living in a wild or free-roaming environment.
- (2) Was born in the wild.
- (3) Is free-roaming without any visible tags, markings, or behavioral characteristics that would indicate a domestic state or private ownership.
- (4) Has skeletal characteristics indicative of a wild or Eurasian origin including:
  - (A) skull characteristics of an elongated snout or sloping appearance with little or no stop at the eye line;
  - (B) a shoulder structure with a steep or razorback (predominate ridge along the back) appearance;
  - (C) hindquarters proportionally smaller than the forequarters lacking natural muscling found in commercial species; or
  - (D) visible tusks.

(b) A person must not import into or possess a live wild ~~hog~~ pig in the state of Indiana except as provided in subsection (e).

(c) A person must not:

- (1) sell;
- (2) transport for sale;
- (3) offer to sell;
- (4) barter;
- (5) trade;
- (6) lease;
- (7) release **or assist in the release of** a live wild ~~hog~~ pig; ~~or~~
- (8) offer for compensation any kind of wild ~~hog~~ pig hunting or taking privileges; **or**
- (9) take or chase a wild pig with the use or aid of a dog, with the exception of authorized federal and state wildlife management employees.**

(d) Notwithstanding subsection (c), an individual may take a wild ~~hog~~ pig only as follows:

- (1) A resident landowner or other individual who has written permission from the landowner may take a wild ~~hog~~ pig on that land at any time without a permit.
- (2) With a nuisance wild animal control permit issued under 312 IAC 9-10-11.
- (3) With a scientific purposes license issued under 312 IAC 9-10-6.

(e) A live wild ~~hog~~ pig taken under this subsection shall:

(1) be euthanized immediately at the site or transported from the site only to another site where it is euthanized immediately; and

(2) not be:

- (A) possessed except as authorized in subdivision ~~(e)~~(1);
- (B) sold;
- (C) traded;
- (D) bartered;
- (E) gifted; or
- (F) released.

(f) The following are exempted from this section:

- (1) A zoo that is a permanent establishment accredited by the American Zoological Association or the Zoological Association of America.
- (2) A scientific research institution licensed or registered with the United States Department of Agriculture and Indiana secretary of state.
- (3) The Purdue University Animal Disease Diagnostic Laboratory.
- (4) An organization or a person housing a wild ~~hog~~ **pig** at the written request of the department.
- (5) An individual who transports a wild ~~hog~~ **pig** through Indiana if the:
  - (A) individual transporting the wild ~~hog~~ **pig** in the state does not stop and unload the wild ~~hog~~ **pig** in Indiana unless taken directly to slaughter at an official state or federally inspected slaughter establishment for immediate slaughter; and
  - (B) wild ~~hog~~ **pig** is continuously confined in a container that is of sufficient strength to prevent the ~~hog~~ **pig** from escaping or coming into contact with the public.

(g) **As used in this section, a wild pig does not include a swine that is:**

**(1) currently recognized in commercial livestock production, including those commonly known as:**

- (A) heritage;**
- (B) heirloom;**
- (C) crosses of heritage, heirloom, and other swine of Eurasian origin; and**
- (D) similar breeds;**

**(2) raised and sold only for agriculture or medicinal purposes, such as breeding stock, exhibition and slaughter for food or the production of medicinal substances;**

**(3) enclosed in a manner that makes their escape unlikely;**

**(4) not knowingly or intentionally released into the wild;**

**(5) not captured from the wild;**

**(6) not escaped into the wild; and**

**(7) not offered for hunting, trapping, or chasing privileges.**

*(Natural Resources Commission; 312 IAC 9-3-18.6; filed Dec 10, 2010, 10:36 a.m.: 20110105-IR-312100104FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

#### SECTION 11. 312 IAC 9-4-8 IS AMENDED TO READ AS FOLLOWS:

##### 312 IAC 9-4-8 Pheasants

Authority: IC 14-22-2-6

Affected: IC 14-22

Sec. 8. (a) Except as provided in subsection (c), an individual may hunt ring-necked pheasants (*Phasianus colchicus*) from November 1 through December 15 of that calendar year.

(b) Except as provided in subsection (c), ~~an individual may take~~ **the daily bag limit is two (2) cock ring-necked** pheasants per day.

(c) From the Saturday before Thanksgiving through December 15, an individual may hunt:



- (A) two (2) ring-necked pheasants per day of either sex on:
    - (i) Atterbury, ~~Crosley, Pigeon River (west of State Road 3),~~
    - (ii) Tri-County,
    - (iii) Glendale, **and**
    - (iv) J.E. Roush, ~~Willow Slough (north of County Road 100 North), and Winamac (south of the abandoned C & O Railroad)~~ Fish and Wildlife Areas **and;**
  - (B) **two (2) cock ring-necked pheasants per day on:**
    - (i) **Pigeon River;**
    - (ii) **Willow Slough; and**
    - (iii) **Winamac;**
- Fish and Wildlife Areas.**

During the season established under this subsection, whenever applicable, a hunter must:

- (1) pay designated fees; and
- (2) hunt **only ring-necked pheasants** within assigned units.
- (d) The head and head plumage of a ring-necked pheasant must remain attached to the carcass while the ring-necked pheasant is in transit from the site of taking. (*Natural Resources Commission; 312 IAC 9-4-8; filed May 12, 1997, 10:00 a.m.: 20 IR 2709; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

#### SECTION 12. 312 IAC 9-4-9 IS AMENDED TO READ AS FOLLOWS:

##### 312 IAC 9-4-9 Quail

Authority: IC 14-22-2-6

Affected: IC 14-22

- Sec. 9. (a) An individual may hunt northern bobwhite quail (*Colinus virginianus*) only as follows:
- (1) South of Interstate 74, from November 1 through January 10 of the following year.
  - (2) North of Interstate 74, from November 1 through December 15 of that calendar year.
- (b) **Except as provided in subsection (c), an individual may take the following number of the daily bag limit for bobwhite quail per day is:**
- (1) Four (4) northern bobwhite quail north of Interstate 74.
  - (2) Eight (8) northern bobwhite quail south of Interstate 74.
- (c) **On a department fish and wildlife area, Salamonie Lake, Mississinewa Lake, and Patoka Lake, the daily bag limit is:**
- (1) **two (2) northern bobwhite quail north of Interstate 74; and**
  - (2) **four (4) northern bobwhite quail south of Interstate 74.**

(*Natural Resources Commission; 312 IAC 9-4-9; filed May 12, 1997, 10:00 a.m.: 20 IR 2710; filed May 28, 1998, 5:14 p.m.: 21 IR 3715; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

#### SECTION 13. 312 IAC 9-4-10 IS AMENDED TO READ AS FOLLOWS:

##### 312 IAC 9-4-10 Ruffed grouse

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

- Sec. 10. (a) An individual ~~may~~ **shall not** hunt ruffed grouse (*Bonasa umbellus*) ~~only from:~~

- ~~(1) October 1 through December 31 on privately owned lands; and~~
- ~~(2) October 1 through November 10 or the first Friday after November 10, whichever is later, on publicly owned lands.~~
- ~~(b) An individual may take two (2) ruffed grouse per day.~~
- ~~(c) An individual must not hunt ruffed grouse except in the following counties:~~
  - ~~(1) Bartholomew.~~
  - ~~(2) Brown.~~
  - ~~(3) Clark.~~
  - ~~(4) Crawford.~~
  - ~~(5) Dearborn (south of U.S. 50).~~
  - ~~(6) Greene (east of U.S. 231).~~
  - ~~(7) Jackson.~~
  - ~~(8) Jefferson.~~
  - ~~(9) Jennings (south of U.S. 50).~~
  - ~~(10) Johnson.~~
  - ~~(11) LaGrange (except Pigeon River Fish and Wildlife Area).~~
  - ~~(12) Lawrence.~~
  - ~~(13) Martin.~~
  - ~~(14) Morgan.~~
  - ~~(15) Monroe.~~
  - ~~(16) Ohio.~~
  - ~~(17) Orange.~~
  - ~~(18) Owen.~~
  - ~~(19) Putnam (south of U.S. 40).~~
  - ~~(20) Perry.~~
  - ~~(21) Ripley (south of U.S. 50).~~
  - ~~(22) Scott.~~
  - ~~(23) Steuben (except Pigeon River Fish and Wildlife Area).~~
  - ~~(24) Switzerland.~~
  - ~~(25) Washington.~~

*(Natural Resources Commission; 312 IAC 9-4-10; filed May 12, 1997, 10:00 a.m.: 20 IR 2710; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; filed Aug 27, 2010, 10:52 a.m.: 20100922-IR-312090984FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 14. 312 IAC 9-4-11 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-4-11 Wild Turkeys

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 11. (a) Except as provided in subsection (c), an individual may hunt wild turkeys (*Meleagris gallopavo*) in the spring from the first Wednesday after April 20 and continuing for an additional eighteen (18) consecutive days.

(b) An individual may hunt wild turkeys (*Meleagris gallopavo*) during the fall as follows:

(1) With firearms as follows:

~~(A) From the first Wednesday after October 14 and continuing for an additional four (4) consecutive days in the following counties only:~~

- ~~(i) Dekalb.~~
- ~~(ii) LaGrange.~~
- ~~(iii) LaPorte.~~
- ~~(iv) Marshall.~~
- ~~(v) St. Joseph.~~
- ~~(vi) Starke.~~
- ~~(vii) Steuben.~~

~~(B)~~ **from** the first Wednesday after October 14 and continuing for an additional eleven (11) consecutive days in the following counties only:

- (i) Bartholomew.
- (ii) Brown.
- (iii) Clark.
- (iv) Clay
- (v) Crawford.
- (vi) Daviess.
- (vii) Dearborn.
- (viii) **Dekalb.**
- ~~(viii)~~ **(ix)** Dubois.
- ~~(ix)~~ **(x)** Fayette.
- ~~(x)~~ **(xi)** Floyd.
- ~~(xi)~~ **(xii)** Fountain.
- ~~(xii)~~ **(xiii)** Franklin.
- ~~(xiii)~~ **(xiv)** Gibson.
- ~~(xiv)~~ **(xv)** Greene.
- ~~(xv)~~ **(xvi)** Harrison.
- ~~(xvi)~~ **(xvii)** Jackson.
- ~~(xvii)~~ **(xviii)** Jefferson.
- ~~(xviii)~~ **(xix)** Jennings.
- ~~(xix)~~ **(xx)** Knox.
- (xxi) LaGrange.**
- (xxii) LaPorte.**
- ~~(xx)~~ **(xxiii)** Lawrence.
- (xxiv) Marshall.**
- ~~(xxi)~~ **(xxv)** Martin.
- ~~(xxii)~~ **(xxvi)** Monroe.
- ~~(xxiii)~~ **(xxvii)** Morgan.
- ~~(xxiv)~~ **(xxviii)** Ohio.
- ~~(xxv)~~ **(xxix)** Orange.
- ~~(xxvi)~~ **(xxx)** Owen.
- ~~(xxvii)~~ **(xxxi)** Parke.
- ~~(xxviii)~~ **(xxxii)** Perry.
- ~~(xxix)~~ **(xxxiii)** Pike.
- ~~(xxx)~~ **(xxxiv)** Posey.
- ~~(xxxi)~~ **(xxxv)** Putnam.
- ~~(xxxii)~~ **(xxxvi)** Ripley.
- ~~(xxxiii)~~ **(xxxvii)** Scott.
- ~~(xxxiv)~~ **(xxxviii)** Spencer.
- (xxxix) St. Joseph.**
- (xxl) Starke.**
- (xxli) Steuben.**
- ~~(xxxv)~~ **(xxlii)** Sullivan.

~~(xxxvi)~~ **(xxliii)** Switzerland.  
~~(xxxvii)~~ **(xxliv)** Union.  
~~(xxxviii)~~ **(xxlv)** Vanderburgh.  
~~(xxxix)~~ **(xxlvi)** Vermillion.  
~~(xl)~~ **(xxlvii)** Vigo.  
~~(xli)~~ **(xxlviii)** Warren.  
~~(xlii)~~ **(xxlix)** Warrick.  
~~(xliii)~~ **(xxlx)** Washington.

(2) With a bow and arrows from:

(A) October 1 to the end of the fall turkey season with firearms as established in subdivision (1)(B); and

(B) the first Saturday after the closing day of deer firearms season as established in 312 IAC 9-3-4(e) through the first Sunday in January.

(c) The spring and fall seasons for hunting and possessing wild turkeys on Camp Atterbury shall be determined by the director on an annual basis to prevent interference with military training exercises.

(d) An individual may take one (1):

(1) bearded or male wild turkey during the spring season; and

(2) wild turkey of either sex during the fall season.

(e) An individual must not do the following:

(1) Hunt wild turkeys except between one-half (1/2) hour before sunrise and sunset.

(2) Take a wild turkey except with the use of any of the following:

(A) A shotgun or muzzleloading shotgun:

(i) not smaller than 20 gauge; and

(ii) not larger than 10 gauge;

loaded only with shot of size 4, 5, 6, 7, or 7 1/2.

(B) A bow and arrows, including crossbows as defined in 312 IAC 9-3-4(g), with the following restrictions:

(i) An individual must not use a:

(AA) long bow; or

(BB) compound bow;

of less than thirty-five (35) pounds pull.

(ii) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.

(iii) An individual must not use a:

(AA) crossbow of less than one hundred twenty-five (125) pounds pull;

(BB) crossbow without a mechanical safety; or

(CC) poisoned or explosive arrow.

(iv) No portion of a bow's riser (handle) or:

(AA) track;

(BB) trough;

(CC) channel;

(DD) arrow rest; or

(EE) other device;

that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(3) Hunt wild turkeys in the fall season that takes place during the deer muzzleloader season as established in 312 IAC 9-3-4(f) **or during the deer special late antlerless season in a location where authorized as established in 312 IAC 9-3-4(h)** unless that individual wears hunter orange.

(4) Call wild turkeys for another individual unless licensed in accordance with subsection (j) or

(k). The individual who calls the wild turkey may have already harvested a wild turkey.

(f) The special youth season for hunting wild turkeys under this subsection is two (2) consecutive days beginning on the Saturday immediately before the start of the spring turkey season established in subsection (a). As used in this subsection, "youth" means an individual who is less than eighteen (18) years of age on the date of the hunt. A youth who hunts a wild turkey under this section must be accompanied by an adult who is at least eighteen (18) years of age. An adult accompanying a youth hunter must not possess a firearm, bow and arrow, or crossbow while in the field. The seasonal limit for hunting wild turkeys under this subsection is one (1) bearded or male wild turkey. A youth hunter who takes a wild turkey under this subsection must not take another wild turkey during the spring turkey season in the same year.

(g) An individual must not use or possess:

- (1) a dog;
- (2) another domesticated animal;
- (3) a live decoy;
- (4) a recorded call;
- (5) an electronically powered or controlled decoy; or
- (6) bait;

while hunting a wild turkey. An area is considered baited for ten (10) days after the removal of the bait, but an area is not considered to be baited that is attractive to wild turkeys resulting from normal agricultural practices.

(h) An individual may possess a handgun while hunting wild turkeys in accordance with IC 35-47.

(i) Except as provided under IC 14-22-11-1 and IC 14-22-11-11, an individual must not hunt:

- (1) wild turkeys unless possessing a completed and signed license bearing the individual's name; or
- (2) with a wild turkey license issued to another individual.

(j) An individual may take a wild turkey during the spring season established under subsection (a) only if:

- (1) issued a license to hunt wild turkeys with:
  - (A) a resident youth consolidated hunting license under IC 14-22-11-10(b);
  - (B) a resident spring turkey license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(20);
  - (C) a nonresident spring turkey license under IC 14-22-12-1(a)(21);
  - (D) a resident youth consolidated hunting license under IC 14-22-12-1(a)(24);
  - (E) a nonresident youth spring turkey license under IC 14-22-12-1(a)(27);
  - (F) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
  - (G) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
  - (H) an apprentice spring turkey hunting license under IC 14-22-12-1.7; or
- (2) hunting under IC 14-22-11-1.

(k) An individual may take a wild turkey during the fall season established under subsection (b) only if:

- (1) issued a license to hunt wild turkeys with:
  - (A) a resident youth consolidated hunting license under IC 14-22-11-10(b);
  - (B) a resident fall turkey license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(22);
  - (C) a nonresident fall turkey license under IC 14-22-12-1(a)(23);
  - (D) a resident youth consolidated hunting license under IC 14-22-12-1(a)(24);
  - (E) a nonresident youth fall turkey license under IC 14-22-12-1(a)(28);
  - (F) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) **before its repeal**;
  - (G) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or
  - (H) an apprentice fall turkey hunting license under IC 14-22-12-1.7; or
- (2) hunting under IC 14-22-11-1.

(l) Immediately after taking a wild turkey, an individual must attach a piece of paper to a leg of the turkey directly above the spur stating the following:

- (1) The name and address of the individual who took the turkey.
- (2) The license number (if applicable) of the individual who took the turkey.
- (3) The date the wild turkey was taken.
- (4) The sex of the wild turkey taken.

(m) An individual who takes a wild turkey must do one (1) of the following:

(1) Cause delivery of the wild turkey to an official turkey checking station within forty-eight (48) hours of taking as follows:

- (A) Register the wild turkey in the name of the individual who took the wild turkey.
- (B) Provide the check station with true and accurate information that includes the information on the piece of paper described in subsection (l).
- (C) ~~Receive the permanent seal after the checking station operator~~ **Record the confirmation number provided by the department's electronic harvest reporting system:**

- (i) ~~records the permanent seal number on the log; and~~
- (ii) ~~collects the piece of paper described in subsection (l).~~

(D) ~~Immediately and firmly affix the seal to the leg of the wild turkey as follows:~~

- (i) ~~On the leg of a wild turkey for a wild turkey taken during the spring season.~~
- (ii) ~~Through a section of skin or flesh to prevent its removal (without cutting the seal or the body part to which it is affixed) for a wild turkey taken in the fall season.~~

~~The permanent seal confirmation number must remain affixed until processing of the wild turkey begins.~~

(2) Cause the reporting of the take by providing true and accurate information required by the department's electronic harvest reporting system within forty-eight (48) hours of taking. The individual who took the wild turkey or the individual reporting the take of the turkey must record the department's electronic harvest confirmation number on the piece of paper described in subsection (l). This confirmation number must be maintained with the turkey until processing of the turkey begins.

(n) ~~The permanent seal issued by the checking station or the~~ department's electronic harvest confirmation number must be maintained with a wild turkey that is gifted to another individual until processing of the wild turkey begins.

(o) The official wild turkey checking station operator shall accurately ~~and legibly complete all forms provided by the department and make those forms available to department personnel on request~~ **report the taking of the wild turkey on the department's electronic harvest reporting system.**

(p) The feathers and beard of a wild turkey must remain attached while the wild turkey is in transit from the site where taken.

(q) As used in this section, "bait" means to:

- (1) place;
- (2) expose;
- (3) deposit;
- (4) distribute; or
- (5) scatter;

grain, salt, or other feed to lure, attract, or entice a wild turkey to an area where a person may take the wild turkey. (*Natural Resources Commission; 312 IAC 9-4-11; filed May 12, 1997, 10:00 a.m.: 20 IR 2710; filed May 28, 1998, 5:14 p.m.: 21 IR 3715; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1533; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 541; filed May 25, 2005, 10:15 a.m.: 28 IR 2946; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; filed Jan 8, 2007, 9:11 a.m.: 20070207-IR-312060193FRA; filed Sep 6, 2007, 12:20 p.m.: 20071003-IR-312070023FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Apr 3, 2009, 1:48 p.m.:*

20090429-IR-312080740FRA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; filed Aug 27, 2010, 10:52 a.m.: 20100922-IR-312090984FRA; filed Dec 18, 2012, 2:00 p.m.: 20130116-IR-312120115FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)

SECTION 15. 312 IAC 9-5-6 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-5-6 Collection and possession of reptiles and amphibians native to Indiana

Authority: IC 14-22

Affected: IC 14-22

Sec. 6. (a) An individual may take reptiles or amphibians from the wild only as authorized under this section.

(b) Except as provided in this section, an individual must not take more than two (2) per day and not more than four (4) from April 1 through March 31 of the following year of any one (1) species of reptile or amphibian native to Indiana.

(c) An individual may take not more than ~~twenty-five (25)~~ **four (4)** of the following species of turtles per day, singly or in aggregate:

- (1) Eastern snapping turtle (*Chelydra serpentina serpentina*).
- (2) Smooth softshell turtle (*Apalone mutica*).
- (3) Spiny softshell turtle (*Apalone spinifera*).

**A turtle taken under subsection (c) may be taken only between July 1 and March 31 of the following year and be at least twelve (12) inches in carapace length.**

(d) As used in this section, “carapace length” means a straight-line measure along the top surface of the carapace that runs from the central point on the front edge of the carapace, directly behind the turtle’s neck, to a central point on the hind edge of the carapace, directly above the turtle’s tail.

~~(d)~~ (e) An individual may take not more than twenty-five (25) of the following species of frogs per day, singly or in aggregate:

- (1) American bullfrog (*Lithobates catesbeianus*).
- (2) Green frog (*Lithobates clamitans*).

~~(e)~~ (f) An individual must not possess more than four (4) live reptiles or amphibians of any one (1) species native to Indiana except:

- (1) as authorized in ~~subsections (c) and~~ subsection (d);
- (2) with a turtle possession permit under section 11 of this rule;
- (3) with a wild animal rehabilitation permit under 312 IAC 9-10-9;
- (4) with a scientific purposes license under 312 IAC 9-10-6; or
- (5) with a wild animal possession permit under 312 IAC 9-11.

~~(f)~~ (g) An individual may take turtles at any time of the year.

~~(g)~~ (h) An individual may take frogs as established in subsection (d) from June 15 through April 30 of the following year.

~~(h)~~ (i) An individual may take turtles by any of the following methods:

- (1) A trap, a net, or another mechanical device that has no opening below the surface of the water.
- (2) Hands.
- (3) A gaff.
- (4) Any method provided by 312 IAC 9-7-2 for sport fishing.

~~(i)~~ (j) An individual may take frogs by any of the following methods:

- (1) A gig or spear having a head not more than three (3) inches wide and a single row of tines.
- (2) A bow and arrows.
- (3) A club.
- (4) Hands.
- (5) A single pole or hand line with not more than one (1) hook or artificial lure affixed.

(6) A .22 caliber firearm, as long as the projectiles discharged from the barrel of the firearm are birdshot, **except on a state park.**

**(7) An air rifle, except on a state park. As used in this section, an air rifle must fire a projectile that is a lead pellet and a minimum of .177 in diameter and fire at least 500 feet per second.**

~~(j)~~ **(k)** An individual may use:

- (1) a spotlight;
- (2) a searchlight; or
- (3) another artificial light;

to assist in taking frogs.

~~(l)~~ **(l)** Notwithstanding subsections (b) through (d), An individual must not take the following from the wild:

- (1) A reptile or amphibian egg.
- (2) An eastern box turtle (*Terrapene carolina*).
- (3) An endangered species of reptile or amphibian.

~~(m)~~ **(m)** An individual must not sell a reptile or amphibian except for the following:

- (1) A reptile or amphibian lawfully possessed and fitted with a passive integrated transponder under section 9(h) of this rule.
- (2) A bullfrog or green frog tadpole in accordance with section 7(g) of this rule.

~~(n)~~ **(n)** An individual must not sell the offspring of an amphibian taken under this section.

~~(o)~~ **(o)** An individual possessing a valid reptile captive breeder license issued under section 9 of this rule may sell the offspring of a species of snake listed in section 9 of this rule, taken under this section, to any person.

~~(p)~~ **(p)** An individual must not release back into the wild a reptile or amphibian taken from the wild under this section except as follows:

- (1) A reptile or amphibian may be released without a permit issued under subdivision (2) if the reptile or amphibian:
  - (A) has not been held in an enclosure with another reptile or amphibian;
  - (B) has not been in captivity for more than thirty (30) days; and
  - (C) is released at the point of capture.
- (2) The division issues a permit to an individual to release an animal, and the individual releases the animal under the terms of the permit.

~~(q)~~ **(q)** An individual may possess a live eastern box turtle only with a:

- (1) turtle possession permit under section 11 of this rule;
- (2) wild animal rehabilitation permit under 312 IAC 9-10-9; or
- (3) scientific purposes license under 312 IAC 9-10-6.

~~(r)~~ **(r)** An individual may possess a live endangered species of reptile or amphibian only with a:

- (1) wild animal possession permit under 312 IAC 9-11;
- (2) wild animal rehabilitation permit under 312 IAC 9-10-9; or
- (3) scientific purposes license under 312 IAC 9-10-6.

~~(s)~~ **(s)** An individual may possess a live venomous reptile only with a:

- (1) wild animal possession permit under 312 IAC 9-11; or
- (2) scientific purposes license under 312 IAC 9-10-6.

*(Natural Resources Commission; 312 IAC 9-5-6; filed Jul 9, 1999, 5:55 p.m.: 22 IR 3672; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 543; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; errata filed Sep 1, 2010, 11:08 a.m.: 20100915-IR-312100567ACA; filed Feb 6, 2012, 3:10 p.m.: 20120307-IR-312110470FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 16. 312 IAC 9-5-7 IS AMENDED TO READ AS FOLLOWS:



312 IAC 9-5-7 Sale and transport for sale of reptiles and amphibians native to Indiana

Authority: IC 14-10-2-4; IC 14-22

Affected: IC 14-22; IC 20-19-2-8; IC 20-19-2-10

Sec. 7. (a) This section governs the:

- (1) sale;
- (2) transport for sale; or
- (3) offer for sale;

of any reptile or amphibian native to Indiana regardless of place of origin.

(b) Except as otherwise provided in this section and in section 9 of this rule, an individual must not sell, transport for sale, or offer to sell a reptile or amphibian that is native to Indiana.

(c) As used in this rule, "reptile or amphibian that is native to Indiana" means those reptiles and amphibians with the following scientific names **and their first generation hybrids with a species not included in this subsection**, ~~including~~ (The common names **are provided for public convenience**, but the scientific names control):

- (1) Hellbender (*Cryptobranchus alleganiensis*).
- (2) Common mudpuppy (*Necturus maculosus*).
- (3) Streamside salamander (*Ambystoma barbouri*).
- (4) Jefferson salamander (*Ambystoma jeffersonianum*).
- (5) Blue-spotted salamander (*Ambystoma laterale*).
- (6) Spotted salamander (*Ambystoma maculatum*).
- (7) Marbled salamander (*Ambystoma opacum*).
- (8) Mole salamander (*Ambystoma talpoideum*).
- (9) Small-mouthed salamander (*Ambystoma texanum*).
- (10) Eastern tiger salamander (*Ambystoma tigrinum*).
- (11) Eastern newt (*Notophthalmus viridescens*).
- (12) Green salamander (*Aneides aeneus*).
- (13) Northern dusky salamander (*Desmognathus fuscus*).
- (14) Southern two-lined salamander (*Eurycea cirrigera*).
- (15) Long-tailed salamander (*Eurycea longicauda*).
- (16) Cave salamander (*Eurycea lucifuga*).
- (17) Four-toed salamander (*Hemidactylium scutatum*).
- (18) Northern red-backed salamander (*Plethodon cinereus*).
- (19) Northern zigzag salamander (*Plethodon dorsalis*).
- (20) Northern ravine salamander (*Plethodon electromorphus*).
- (21) Northern slimy salamander (*Plethodon glutinosus*).
- (22) Red salamander (*Pseudotriton ruber*).
- (23) Lesser siren (*Siren intermedia*).
- (24) Eastern spadefoot toad (*Scaphiopus holbrookii*).
- (25) American toad (*Anaxyrus americanus*).
- (26) Fowler's toad (*Anaxyrus fowleri*).
- (27) Northern cricket frog (*Acris crepitans*).
- (28) Cope's gray treefrog (*Hyla chrysoscelis*).
- (29) Green treefrog (*Hyla cinerea*).
- (30) Gray treefrog (*Hyla versicolor*).
- (31) Spring peeper (*Pseudacris crucifer*).
- (32) Southeastern chorus frog (*Pseudacris feriarum*).
- (33) Western chorus frog (*Pseudacris triseriata*).
- (34) Crawfish frog (*Lithobates areolatus*).
- (35) Plains leopard frog (*Lithobates blairi*).

- (36) American bullfrog (*Lithobates catesbeianus*).
- (37) Green frog (*Lithobates clamitans*).
- (38) Northern leopard frog (*Lithobates pipiens*).
- (39) Pickerel frog (*Lithobates palustris*).
- (40) Southern leopard frog (*Lithobates sphenoccephalus*).
- (41) Wood frog (*Lithobates sylvaticus*).
- (42) Eastern snapping turtle (*Chelydra serpentina serpentina*).
- (43) Smooth softshell turtle (*Apalone mutica*).
- (44) Spiny softshell turtle (*Apalone spinifera*).
- (45) Alligator snapping turtle (*Macrochelys temminckii*).
- (46) Eastern mud turtle (*Kinosternon subrubrum*).
- (47) Eastern musk turtle (*Sternotherus odoratus*).
- (48) Midland painted turtle (*Chrysemys picta marginata*).
- (49) Western painted turtle (*Chrysemys picta bellii*).
- (50) Spotted turtle (*Clemmys guttata*).
- (51) Blanding's turtle (*Emydoidea blandingii*).
- (52) Northern map turtle (*Graptemys geographica*).
- (53) False map turtle (*Graptemys pseudogeographica*).
- (54) Ouachita map turtle (*Graptemys ouachitensis*).
- (55) River cooter (*Pseudemys concinna*).
- (56) Eastern box turtle (*Terrapene carolina*).
- (57) Ornate box turtle (*Terrapene ornata*).
- (58) Red-eared slider (*Trachemys scripta elegans*).
- (59) Eastern fence lizard (*Sceloporus undulatus*).
- (60) Slender glass lizard (*Ophisaurus attenuatus*).
- (61) Six-lined racerunner (*Aspidoscelis sexlineata*).
- (62) Common five-lined skink (*Plestiodon fasciatus*).
- (63) Broadhead skink (*Plestiodon laticeps*).
- (64) Little brown skink (*Scincella lateralis*).
- (65) Eastern wormsneak (*Carphophis amoenus*).
- (66) Scarletsneak (*Cemophora coccinea*).
- (67) North American racer (*Coluber constrictor*).
- (68) Kirtland's snake (*Clonophis kirtlandii*).
- (69) Ring-necked snake (*Diadophis punctatus*).
- (70) Gray ratsneak, also known as the black ratsneak (*Pantherophis spiloides*).
- (71) Western foxsnake (*Pantherophis vulpinus*).
- (72) Red-bellied mud snake (*Farancia abacura*).
- (73) Eastern hog-nosed snake (*Heterodon platirrhinos*).
- (74) Prairie kingsneak (*Lampropeltis calligaster calligaster*).
- (75) Eastern black kingsneak (*Lampropeltis getula nigra*).
- (76) Eastern milksneak (*Lampropeltis triangulum triangulum*).
- (77) Red milksneak (*Lampropeltis triangulum sypila*).
- (78) Copper-bellied watersneak (*Nerodia erythrogaster neglecta*).
- (79) Diamond-backed watersneak (*Nerodia rhombifer*).
- (80) Northern watersneak (*Nerodia sipedon*).
- (81) Rough greensneak (*Opheodrys aestivus*).
- (82) Smooth greensneak (*Opheodrys vernalis*).
- (83) Bullsneak (*Pituophis catenifer sayi*).
- (84) Queensneak (*Regina septemvittata*).
- (85) Dekay's brownsneak (*Storeria dekayi*).
- (86) Red-bellied snake (*Storeria occipitomaculata*).

- (87) Southeastern crowned snake (*Tantilla coronata*).
  - (88) Butler's gartersnake (*Thamnophis butleri*).
  - (89) Western ribbonsnake (*Thamnophis proximus*).
  - (90) Plains gartersnake (*Thamnophis radix*).
  - (91) Eastern ribbonsnake (*Thamnophis sauritus*).
  - (92) Common gartersnake (*Thamnophis sirtalis*).
  - (93) Smooth earthsnake (*Virginia valeriae*).
  - (94) Copperhead (*Agkistrodon contortrix*).
  - (95) Cottonmouth (*Agkistrodon piscivorus*).
  - (96) Timber rattlesnake (*Crotalus horridus*).
  - (97) Massasauga (*Sistrurus catenatus*).
- (d) As used in this section, "sale" includes any of the following:
- (1) Barter, purchase, trade, or offer to sell, barter, purchase, or trade.
  - (2) Serving as part of a meal by a restaurant, a hotel, a boarding house, or the keeper of an eating house. However, a hotel, a boarding house, or the keeper of an eating house may prepare and serve during open season to:
    - (A) a guest, patron, or boarder; and
    - (B) the family of the guest, patron, or boarder;
 a reptile or amphibian legally taken by the guest, patron, or boarder during the open season.
- (e) As used in this section, "transport" means:
- (1) to move, carry, or ship by any means; and
  - (2) for any common or contract carrier knowingly to move, carry, or receive for shipment;
- a wild animal protected by law.
- (f) A reptile or amphibian that is not on a state or federal endangered or threatened species list and with a color morphology that is:
- (1) albinistic (an animal lacking brown or black pigment);
  - (2) leucistic (a predominately white animal); or
  - (3) xanthic (a predominately yellow animal);
- is exempted from this section if it was not collected from the wild.
- (g) The following are exempted from this section:
- (1) An institution governed by, and in compliance with, the Animal Welfare Act (7 U.S.C. 2131, et seq.) and 9 CFR 2.30 through 9 CFR 2.38 (January 1, 1998 edition). To qualify for the exemption, the institution must have an active Assurance of Compliance on file with the Office for the Protection of Risk, U.S. Department of Health and Human Services.
  - (2) A sale made under a reptile captive breeding license governed by section 9 of this rule.
  - (3) The sale to and purchase of reptiles or amphibians by a:
    - (A) public school accredited under IC 20-19-2-8; or
    - (B) nonpublic school recognized under IC 20-19-2-10 and accredited under IC 20-19-2-8.
 This exemption does not authorize the sale of reptiles or amphibians by a public school or a nonpublic school.
  - (4) The sale and purchase of:
    - (A) an American bullfrog (*Lithobates catesbeianus*) tadpole; or
    - (B) a green frog (*Lithobates clamitans*) tadpole;
 produced by a resident holder of a hauler and supplier permit or an aquaculture permit if the tadpole is a byproduct of a fish production operation. As used in this subdivision, "tadpole" means the larval life stage of a frog for the period in which the tail portion of the body is at least one (1) inch long.
- (h) A person who is transporting native reptiles and amphibians in interstate commerce, to be sold outside Indiana, is exempted from this section. (*Natural Resources Commission; 312 IAC 9-5-7; filed Jul 9, 1999, 5:55 p.m.: 22 IR 3673; errata filed Oct 26, 1999, 2:40 p.m.: 23 IR 589; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1535; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 543;*

*filed May 25, 2005, 10:15 a.m.: 28 IR 2948; filed Jul 11, 2006, 9:04 a.m.: 20060802-IR-312060009FRA; filed Jan 8, 2007, 9:11 a.m.: 20070207-IR-312060193FRA; filed Mar 4, 2008, 12:31 p.m.: 20080402-IR-312070486FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA)*

SECTION 17. 312 IAC 9-6-1 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-6-1 Definitions pertaining to fish and fishing activities

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22-34-12

Sec. 1. In addition to the definitions in 312 IAC 9-1, the following definitions apply throughout this rule and 312 IAC 9-7 through 312 IAC 9-10:

(1) "Alewife" means the species *Alosa pseudoharengus*.

(2) "American eel" means the species *Anguilla rostrata*.

(3) "Aquarium pet trade" means the business of importing, producing, or selling live fish for display in:

(A) aquariums;

(B) tanks; or

(C) other continuing exhibits.

**(4) "Artificial lure" means a man-made object used to attract fish with attached single-prong or multiple-prong hooks, excluding bait as defined in this rule.**

~~(4)~~ (5) "Asian carp" means the following:

(A) Bighead carp.

(B) Black carp.

(C) Grass carp.

(D) Silver carp.

~~(5)~~ (6) "Atlantic salmon" means the species *Salmo salar*.

**(7) "Bait" means:**

**(A) Natural fish food including bait fish, crayfish, frogs permitted as bait, grubs, insects, larvae, worms, salmon eggs, cheese, corn and other food substances not containing any ingredient to stupefy, injure or kill fish.**

**(B) Any substance designed to attract fish by taste or scent including dough bait, putty or paste-type bait, and any fly or lure or bait containing or used with such substances.**

**(C) Soft plastic bait (unscented) including synthetic eggs, synthetic worms, synthetic grubs, and soft plastic lures.**

~~(6)~~ (8) "Bar mesh" means the length of one (1) side of the square mesh measure or as measured between two (2) knots on the same line.

~~(7)~~ (9) "Bighead carp" means the species *Hypophthalmichthys nobilis*.

~~(8)~~ (10) "Black bass" means the following species:

(A) Largemouth bass.

(B) Smallmouth bass.

(C) Spotted bass.

~~(9)~~ (11) "Black bullhead" means the species *Ictalurus melas*.

~~(10)~~ (12) "Black carp" means the species *Mylopharyngodon piceus*.

~~(11)~~ (13) "Black crappie" means the species *Pomoxis nigromaculatus*.

~~(12)~~ (14) "Bloater" means the species *Coregonus hoyi*.

~~(13)~~ (15) "Blue catfish" means the species *Ictalurus furcatus*.

~~(14)~~ (16) "Bluegill" means the species *Lepomis macrochirus*.

~~(15)~~ (17) "Bluntnose minnow" means the species *Pimephales notatus*.

- ~~(16)~~ (18) "Bowfin" means the species *Amia calva*.
- ~~(17)~~ (19) "Brook trout" means the species *Salvelinus fontinalis*.
- ~~(18)~~ (20) "Brown bullhead" means the species *Ictalurus nebulosus*.
- ~~(19)~~ (21) "Brown trout" means the species *Salmo trutta*.
- ~~(20)~~ (22) "Buffalo" means the genus *Ictiobus*.
- ~~(21)~~ (23) "Bullhead" means the following species:
- (A) Black bullhead.
  - (B) Brown bullhead.
  - (C) Yellow bullhead.
- ~~(22)~~ (24) "Burbot" means the species *Lota lota*.
- ~~(23)~~ (25) "Carp" means the species *Cyprinus carpio*.
- ~~(24)~~ (26) "Cast net" means a net:
- (A) not more than twenty (20) feet in diameter; and
  - (B) having stretch mesh not larger than three-fourths (3/4) inch; or
  - (C) having stretch mesh not larger than two (2) inches if used only on the waters listed in section 8(b)(1) of this rule.
- ~~(25)~~ (27) "Cavefish" means a fish of the family Amblyopsidae.
- ~~(26)~~ (28) "Chain pickerel" means the species *Esox niger*.
- ~~(27)~~ (29) "Channel catfish" means the species *Ictalurus punctatus*.
- ~~(28)~~ (30) "Chinook salmon" means the species *Oncorhynchus tshawytscha*.
- ~~(29)~~ (31) "Chub" means the following species:
- (A) Bloaters.
  - (B) Kiyi.
- ~~(30)~~ (32) "Cisco" means the species *Coregonus artedii*.
- ~~(31)~~ (33) "Closed aquaculture system" means a rearing facility designed to prevent the escape of cultured organisms to the wild.
- ~~(32)~~ (34) "Coho salmon" means the species *Oncorhynchus kisutch*.
- ~~(33)~~ (35) "Crappie" means the following:
- (A) White crappie.
  - (B) Black crappie.
- ~~(34)~~ (36) "Dip net" means a dip net:
- (A) not exceeding three (3) feet square;
  - (B) without sides or walls; and
  - (C) having stretch mesh not larger than one-half (1/2) inch.
- ~~(35)~~ (37) "Diploid" means a cell or organism that has two (2) complete sets of chromosomes.
- ~~(36)~~ (38) "Exotic catfish" means a walking catfish or other member of the family Clariidae.
- ~~(37)~~ (39) "Exotic fish" means:
- (A) an exotic catfish;
  - (B) a bighead carp;
  - (C) a black carp;
  - (D) a silver carp;
  - (E) a white perch;
  - (F) a snakehead;
  - (G) a rudd;
  - (H) a ruffe;
  - (I) a tubenose goby;
  - (J) a round goby; ~~or~~
  - (K) **stone moroko;**
  - (L) **Wels catfish**
  - (M) **Zander; or**
  - (N) a hybrid or genetically altered fish of any of these species;

- ~~(38)~~ **(40)** "Fathead minnow" means the species *Pimephales promelas*.
- ~~(39)~~ **(41)** "Flathead catfish" means the species *Pylodictis olivaris*.
- (42) "Fly" means an artificial lure constructed of any material except bait, as defined in this rule, attached to a single-prong hook.**
- ~~(40)~~ **(43)** "Freshwater drum" means the species *Aplodinotus grunniens*.
- ~~(41)~~ **(44)** "Gaff" or "gaff hook" means an implement:
- (A) of metal or another hard or tough material;
  - (B) with or without barbs;
  - (C) making a single hook having a shank with or without a handle; and
  - (D) that may be hand held to seize, hold, or sustain fish.
- ~~(42)~~ **(45)** "Gar" means the genus *Lepisosteus*.
- ~~(43)~~ **(46)** "Genetically altered fish" means a fish that is the product of genetic manipulation, including polyploidy, gynogenesis, gene transfer, and hormonal sex control.
- ~~(44)~~ **(47)** "Gizzard shad" means the species *Dorosoma cepedianum*.
- ~~(45)~~ **(48)** "Golden shiner" means the species *Notemigonus crysoleucas*.
- ~~(46)~~ **(49)** "Goldfish" means the species *Carassius auratus*.
- ~~(47)~~ **(50)** "Grab hook" means a device or implement used as a tong to clutch, close down upon, or grasp fish.
- ~~(48)~~ **(51)** "Grass carp" means the species *Ctenopharyngodon idella*.
- ~~(49)~~ **(52)** "Green sunfish" means the species *Lepomis cyanellus*.
- (53) "Hook" includes either single-prong or multiple-prong hooks. A multi-prong hook or two (2) or more single-prong hooks employed to hold a single bait, as defined in this rule, shall be considered a single hook in counting the allowable total in use.**
- ~~(50)~~ **(54)** "Hybrid striped bass" means the hybrid of striped bass and white bass.
- ~~(51)~~ **(55)** "Hybrid sunfish" means a hybrid of the genus *Lepomis*.
- ~~(52)~~ **(56)** "Kiyi" means the species *Coregonus kiyi*.
- ~~(53)~~ **(57)** "Lake herring" means the species *Coregonus artedii*.
- ~~(54)~~ **(58)** "Lake sturgeon" means the species *Acipenser fulvescens*.
- ~~(55)~~ **(59)** "Lake trout" means the species *Salvelinus namaycush*.
- ~~(56)~~ **(60)** "Lake whitefish" means the species *Coregonus clupeaformis*.
- ~~(57)~~ **(61)** "Largemouth bass" means the species *Micropterus salmoides*.
- (62) "Minnow" means the following:**
- (A) Species of the minnow family Cyprinidae, except the following:**
    - (i) exotic species identified at 312 IAC 9-6-7; and**
    - (ii) endangered species identified at 312 IAC 9-6-9.**
  - (B) The following species:**
    - (i) Sucker;**
    - (ii) Brook stickleback (*Culaea inconstans*);**
    - (iii) Gizzard shad;**
    - (iv) Threadfin shad; and,**
    - (v) Alewife.**
  - (C) Notwithstanding IC 14-22-16, 312 IAC 9-7-15 and 312 IAC 9-7-16, live gizzard shad, threadfin shad and alewife may only be collected, used, possessed, sold, bartered and disposed of in accordance with 312 IAC 9-6-8.**
- ~~(58)~~ **(63)** "Minnow seine" means a seine or net:
- (A) not more than twelve (12) feet long and four (4) feet deep; and
  - (B) having stretch mesh not larger than one-half (1/2) inch.
- ~~(59)~~ **(64)** "Minnow trap" means a fish trapping device not exceeding twenty-four (24) inches long. The opening of the throat shall not exceed one (1) inch in diameter.
- ~~(60)~~ **(65)** "Mosquitofish" means the species *Gambusia affinis*.
- ~~(61)~~ **(66)** "Muskellunge" means the species *Esox masquinongy*.

- ~~(62)~~ (67) "Northern pike" means the species *Esox lucius*.
- ~~(63)~~ (68) "Quagga mussel" means the species *Dreissena bugensis*.
- ~~(64)~~ (69) "Paddlefish" means the species *Polyodon spathula*.
- (70) "Pole" and "line" means fishing equipment held in the hand, including a cane pole, casting rod, spinning rod, fly rod, or ice fishing tackle commonly known as a tip-up but does not include snaring, trotlines, set lines, throw lines, limb lines, drop lines, or other tackle normally attached in a fixed position.
- ~~(65)~~ (71) "Rainbow trout" means the species *Oncorhynchus mykiss*.
- ~~(66)~~ (72) "Redear sunfish" means the species *Lepomis microlophus*.
- ~~(67)~~ (73) "Rock bass" means the species *Ambloplites rupestris*.
- ~~(68)~~ (74) "Round goby" mean the species *Neogobius melanostomus*.
- ~~(69)~~ (75) "Rudd" means the species *Scardinius erythrophthalmus*.
- ~~(70)~~ (76) "Ruffe" means the species *Gymnocephalus cernuus*.
- ~~(71)~~ (77) "Sauger" means the species *Sander canadensis*.
- ~~(72)~~ (78) "Saugeye" means the hybrid of walleye and sauger.
- ~~(73)~~ (79) "Shad" means the following genera:
- (A) *Alosa*.
  - (B) *Dorosoma*.
- ~~(74)~~ (80) "Shovelnose sturgeon" means the species *Scaphirhynchus platyrhynchus*.
- ~~(75)~~ (81) "Silver carp" means the species *Hypophthalmichthys molitrix*.
- ~~(76)~~ (82) "Single hook" means a fishing hook consisting of the following:
- (A) One (1) shank.
  - (B) One (1) point.
- ~~(77)~~ (83) "Smallmouth bass" means the species *Micropterus dolomieu*.
- ~~(78)~~ (84) "Smelt" means the genus *Osmerus*.
- ~~(79)~~ (85) "Snakehead" means all species of the family Channidae, including the following genera:
- (A) *Channa*.
  - (B) *Parachanna*.
- ~~(80)~~ (86) "Sockeye salmon" means the species *Oncorhynchus nerka*.
- ~~(81)~~ (87) "Sport fish" means any of the following:
- (A) Largemouth bass.
  - (B) Smallmouth bass.
  - (C) Spotted bass.
  - (D) Rock bass.
  - (E) White crappie.
  - (F) Black crappie.
  - (G) Walleye.
  - (H) Sauger.
  - (I) Saugeye.
  - (J) Striped bass.
  - (K) White bass.
  - (L) Hybrid striped bass.
  - (M) Yellow bass.
  - (N) Muskellunge.
  - (O) Tiger muskellunge.
  - (P) Northern pike.
  - (Q) Chain pickerel.
  - (R) Trout or salmon.
- ~~(82)~~ (88) "Spotted bass" means the species *Micropterus punctulatus*.
- ~~(83)~~ (89) "Steelhead" means the species *Oncorhynchus mykiss*.

~~(84)~~ **(90)** "Stretch mesh" means the extended distance or length between the extreme angles of a single mesh of net.

~~(85)~~ **(91)** "Striped bass" means the species *Morone saxatilis*.

**(92) "Stone moroko" means the species *Pseudorasbora parva*.**

~~(86)~~ **(93)** "Sucker" means the following genera:

- (A) *Carpion*.
- (B) *Moxostoma*.
- (C) *Hypentelium*.
- (D) *Catostomus*.
- (E) *Erimyzon*.

~~(87)~~ **(94) "Sunfish" means all species and hybrids of the genus *Lepomis* except endangered species identified at 312 IAC 9-6-9.**

~~(88)~~ **(95)** "Threadfin shad" means the species *Dorosoma petenense*.

~~(89)~~ **(96)** "Tiger muskellunge" means the hybrid of muskellunge and northern pike.

~~(90)~~ **(97)** "Tilapia" means all species of the genus *Tilapia*.

~~(91)~~ **(98)** "Triploid" means a cell or organism having three (3) haploid sets of chromosomes.

~~(92)~~ **(99)** "Trout or salmon" means the following:

- (A) Lake trout.
- (B) Coho salmon.
- (C) Chinook salmon.
- (D) Sockeye salmon.
- (E) Brown trout.
- (F) Steelhead (or rainbow trout).
- (G) Brook trout.
- (H) Atlantic salmon.

~~(93)~~ **(100)** "Tubenose goby" means the species *Proterorhinus marmoratus*.

~~(94)~~ **(101)** "Walleye" means the species *Sander vitreus*.

~~(95)~~ **(102)** "Warmouth" means the species *Lepomis gulosus*.

**(103) "Wels catfish" means the species *Silurus glanis*.**

~~(96)~~ **(104)** "White bass" means the species *Morone chrysops*.

~~(97)~~ **(105)** "White catfish" means the species *Ictalurus catus*.

~~(98)~~ **(106)** "White perch" means the species *Morone americana*.

~~(99)~~ **(107)** "White crappie" means the species *Pomoxis annularis*.

~~(100)~~ **(108)** "Yellow bass" means the species *Morone mississippiensis*.

~~(101)~~ **(109)** "Yellow bullhead" means the species *Ictalurus natalis*.

~~(102)~~ **(110)** "Yellow perch" means the species *Perca flavescens*.

**(111) "Zander" means the species *Sander lucioperca*.**

**(112)** "Zebra mussel" means the species *Dreissena polymorpha*.

*(Natural Resources Commission; 312 IAC 9-6-1; filed May 12, 1997, 10:00 a.m.: 20 IR 2713; filed May 28, 1998, 5:14 p.m.: 21 IR 3717; errata filed Aug 25, 1998, 3:02 p.m.: 22 IR 125; filed May 16, 2002, 12:25 p.m.: 25 IR 3047; filed Jul 23, 2003, 10:30 a.m.: 26 IR 3866; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Feb 27, 2007, 2:25 p.m.: 20070328-IR-312060262FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Aug 28, 2009, 3:39 p.m.: 20090923-IR-312080886FRA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Feb 22, 2011, 1:13 p.m.: 20110323-IR-312100501FRA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 18. 312 IAC 9-6-7 IS AMENDED TO READ AS FOLLOWS:

### **312 IAC 9-6-7 Exotic fish**

Authority: IC 14-22-2-6



Affected: IC 14-22-2-3

Sec. 7. (a) Except as otherwise provided under this section, an individual must not import, possess, propagate, buy, sell, barter, trade, transfer, loan, or release into public or private waters any of the following live fish or recently hatched or juvenile live fish or their viable eggs or genetic material:

- (1) Exotic catfish.
- (2) Bighead carp.
- (3) Black carp.
- (4) Silver carp.
- (5) White perch.
- (6) Snakehead.
- (7) Rudd.
- (8) Ruffe.
- (9) Tubenose goby.
- (10) Round goby.
- (11) Stone moroko.**
- (12) Zander.**
- (13) Wels catfish.**
- (14) A hybrid or genetically altered fish of any of these species.**

(b) An individual who takes **possession of** a fish listed in subsection (a) does not violate this section if the fish listed in subsection (a) is killed immediately upon capture **by doing one of the following:**

- (1) Remove the head of the fish.**
- (2) Remove the gill arches from at least one side of the fish.**
- (3) Eviscerate the fish.**

(c) This section does not apply to the following:

- (1) The use of a fish by a properly accredited zoological park as defined in 312 IAC 9-5-8(i).
- (2) During the lawful interstate shipment of fish through the state if the fish are not unloaded or do not leave the control of a common carrier.
- (3) A person who lawfully possesses an exotic fish under an aquaculture permit issued under 312 IAC 9-10-17 or a scientific purposes license issued under 312 IAC 9-10-6 for medical, educational, or scientific purposes.

(d) A person who possesses federally listed injurious species must also comply with 18 U.S.C. 42 and 50 CFR 16. (*Natural Resources Commission; 312 IAC 9-6-7; filed May 12, 1997, 10:00 a.m.: 20 IR 2716; filed May 28, 1998, 5:14 p.m.: 21 IR 3719; filed Jul 23, 2003, 10:30 a.m.: 26 IR 3868; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

#### SECTION 19. 312 IAC 9-6-9 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-6-9 Endangered species of fish

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-34-17

Affected: IC 14-22-34-12

Sec. 9. The following species of fish are endangered and are subject to the protections provided under IC 14-22-34-12:

- (1) Lake sturgeon (*Acipenser fulvescens*).
- (2) **Hoosier cavefish (*Amblyopsis hoosieri*), formerly known as the Northern cavefish (~~Amblyopsis~~ *Amblyopsis spelaea*).**
- (3) Redside dace (*Clinostomus elongatus*).
- (4) Variegated darter (*Etheostoma variatum*).

- (5) Gilt darter (*Percina evides*).
- (6) Greater redhorse (*Moxostoma valenciennesi*).
- (7) Bantam sunfish (*Lepomis symmetricus*).
- (8) Pallid shiner (*Hybopsis amnis*).
- (9) Channel darter (*Percina copelandi*).
- (10) Northern brook lamprey (*Ichthyomyzon fossor*).

*(Natural Resources Commission; 312 IAC 9-6-9; filed May 12, 1997, 10:00 a.m.: 20 IR 2716; filed May 16, 2002, 12:25 p.m.: 25 IR 3048; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 547; filed Jun 29, 2007, 2:30 p.m.: 20070725-IR-312060272FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA)*

## SECTION 20. 312 IAC 9-7-1 IS AMENDED TO READ AS FOLLOWS:

### 312 IAC 9-7-1 Applicability

Authority: IC 14-22-2-6

Affected: IC 14-22

Sec. 1. (a) This rule applies to an individual who fishes on waters containing state-owned fish.

(b) An individual may take a fish in waters containing state-owned fish, **boundary waters, and waters of the state** only if:

(1) issued a license to fish with a:

- (A) resident yearly fishing license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(1);
- (B) resident one-day fishing license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(8);
- (C) resident senior yearly fishing license under IC 14-22-12-1(a)(33) or IC 14-22-12-1(a)(35);
- (D) resident senior fish for life license under IC 14-22-12-1(a)(34);
- (E) resident yearly fishing and hunting license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(3);
- (F) nonresident yearly fishing license under IC 14-22-12-1(a)(5);
- (G) nonresident one-day fishing license under IC 14-22-12-1(a)(8);
- (H) nonresident seven-day fishing license under IC 14-22-12-1(a)(9);
- (I) lifetime fishing license under IC 14-22-12-7(a)(1) or IC 14-22-12-7(a)(3) **before its repeal**;
- (J) commercial fishing license under IC 14-22-13 or IC 14-22-14;
- (K) scientific purposes license under IC 14-22-22 and 312 IAC 9-10-6; or
- (L) lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) **before its repeal**; or

(2) fishing without a license under IC 14-22-11-1, **IC 14-22-11-8, and or** 312 IAC 9-2-14.

*(Natural Resources Commission; 312 IAC 9-7-1; filed May 12, 1997, 10:00 a.m.: 20 IR 2716; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA)*

## SECTION 21. 312 IAC 9-7-2 IS AMENDED TO READ AS FOLLOWS:

### 312 IAC 9-7-2 Sport fishing methods, except on the Ohio River

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 2. (a) Except as provided under section 16 of this rule with respect to the Ohio River, this section governs the lawful methods for fishing under this rule.

(b) An individual may take fish with the aid of illumination of any of the following:

- (1) A spotlight.
- (2) A searchlight.
- (3) An artificial light.

(c) An individual may take fish with not more than three (3) poles, hand lines, or tip-ups at a time. Except as provided in subsections (g) and (k), an individual must affix to each line **or pole** not more than ~~two (2)~~:

- (1) **three (3) hooks or two (2) artificial baits or harnesses for use with live bait;**
- (2) **three (3) artificial lures; or**
- (3) **a combination of hooks or artificial lures not to exceed a total of three (3).**

(d) An individual must not take fish from:

- (1) waters containing state-owned fish;
- (2) waters of the state; or
- (3) boundary waters;

by means of a hook dragged or jerked through the water with the intent to snag fish on contact.

(e) An individual must not take trout or salmon from a water of the state unless the fish is hooked in the mouth.

(f) An individual must not fish with more than ten (10) limb lines or drop lines at a time. Each line:

- (1) shall have not more than one (1) hook affixed;
- (2) must bear a legible tag with the name and address of the user **or the individual's customer identification number issued by the department;** and
- (3) shall be attended at least once every twenty-four (24) hours.

A limb line or drop line shall not be used within three hundred (300) yards of a dam that wholly or partly crosses a water of the state.

(g) An individual must not ice fish on waters of the state, except as follows:

(1) A tip-up (a device that uses a flag to signal when a fish takes the bait from a fishing line) must:

- (A) be constantly in sight of the user; and
- (B) have affixed a legible tag bearing the name and address of the user **or the individual's customer identification number issued by the department.**

(2) An ice fishing shelter must visibly bear the name and address of the owner **or the owner's customer identification number issued by the department** in three (3) inch block letters on the outside of the door.

(3) An ice fishing shelter that is on the waters between sunset and sunrise must have, on each side of the structure or shelter, at least one (1) red reflector or a three (3) inch by three (3) inch reflective material strip.

(4) An ice fishing shelter must be removed from the waters before ice-out.

(5) Except from January 1 through February 15, an ice fishing shelter must be removed daily.

(h) An individual must not take fish with more than one (1) trotline, set line, or throw line. A line must have not more than fifty (50) hooks affixed. A trotline must be:

- (1) anchored to the bottom; or
- (2) set not less than three (3) feet below the surface of the water.

A legible tag with the name and address of the user **or the individual's customer identification number issued by the department** must be affixed to each trotline. Each trotline must be attended at least once every twenty-four (24) hours. An individual must not take fish from Lake Michigan with a trotline, set line, or throw line.

(i) An individual must not take fish from a lake with free-float lines or fish from a river or stream with more than five (5) freefloat lines. Not more than one (1) hook shall be affixed to each line. A free-float line:

- (1) shall bear the name and address of the user **or the individual's customer identification number issued by the department;** and
- (2) must not be constructed of glass.

Each free-float line must be in constant attendance by the person fishing.

(j) An individual must not possess a fish spear, gig, gaff, pitchfork, bowfishing equipment, crossbow, grab hook, spear gun, club, snag hook, or underwater spear in, on, or adjacent to any of the following:

- (1) The Galena River (LaPorte County).
- (2) Trail Creek (LaPorte County).
- (3) The East Branch of the Little Calumet River (LaPorte and Porter counties).
- (4) Salt Creek (Porter County).
- (5) The West Branch of the Little Calumet River (Lake and Porter counties).
- (6) Portage Burns Waterway (formerly known as Burns Ditch) (Porter and Lake counties).
- (7) Deep River downstream from the dam at Camp 133 (Lake County).
- (8) The tributaries of these waterways.

(k) An individual must not fish:

- (1) the waterways described in subsection (j);
- (2) ~~or from~~ the St. Joseph River and its tributary streams from the Twin Branch dam downstream to the Michigan state line (St. Joseph County); **or**
- (3) **the East Fork White River from Williams Dam to the Huron and Williams Road bridge in Lawrence County from March 15 through April 20;**

with more than one (1) single hook per line or one (1) artificial ~~bait or harness for use with live bait~~ **lure**. Single hooks, including those on artificial ~~bait~~ **lures**, shall not exceed one-half (1/2) inch from point to shank. Double and treble hooks on artificial ~~bait~~ **lures** shall not exceed three-eighths (3/8) inch from point to shank.

(l) An individual may take smelt from March 1 through May 30 only from Lake Michigan and only by the use of dip nets, seines, or nets as follows:

- (1) One (1) dip net not to exceed twelve (12) feet in diameter.
- (2) One (1) seine or net:
  - (A) not to exceed twelve (12) feet long and six (6) feet deep; and
  - (B) having a stretch mesh larger than one and one-half (1 1/2) inches.

Each seine or net shall have affixed a legible tag with the name and address of the user.

(m) An individual may, by means of a fish spear, gig, spear gun, or underwater spear, take only any sucker, carp, Asian carp, gar, bowfin, buffalo, or shad and only from the following rivers:

- (1) West Fork of the White River from its junction with the East Fork upstream to the dam below the Harding Street generating plant of the Indianapolis Power and Light Company in Marion County.
- (2) East Fork of the White River from its junction with the West Fork upstream to the dam at the south edge of the city of Columbus in Bartholomew County.
- (3) White River from its junction with the West Fork of the White River and East Fork of the White River to its junction with the Wabash River in Gibson, Knox, and Pike counties.
- (4) Wabash River from its junction with the Ohio River upstream to State Road 13 at the south edge of the city of Wabash in Wabash County.
- (5) Tippecanoe River upstream from its junction with the Wabash River to one-half (1/2) mile below its junction with Big Creek in Carroll County. An individual must not possess a fish spear or fish gig in, on, or adjacent to the Tippecanoe River from one-half (1/2) mile below its junction with Big Creek in Carroll County upstream to the Oakdale Dam that forms Lake Freeman.
- (6) Maumee River from the Ohio state line upstream to the Anthony Boulevard Bridge in the city of Fort Wayne.
- (7) Kankakee River from the Illinois state line upstream to State Road 55 bridge south of the city of Shelby in Lake County.
- (8) St. Joseph River in St. Joseph and Elkhart counties.

(n) In addition to any other lawful method, an individual may take a sucker, carp, Asian carp, gar, bowfin, buffalo, or shad by:

- (1) bowfishing equipment or crossbow from Lake Michigan; or

- (2) spear, gig, spear gun, underwater spear, crossbow, or bowfishing equipment from another lake.
- (o) An individual may take a sucker, carp, Asian carp, gar, or bowfin with not more than one (1) snare only between sunrise and sunset.
- (p) Except as specified at subsection (j), an individual may use bowfishing equipment or a crossbow on rivers and streams to take any sucker, carp, Asian carp, gar, bowfin, buffalo, or shad. (*Natural Resources Commission; 312 IAC 9-7-2; filed May 12, 1997, 10:00 a.m.: 20 IR 2716; filed May 28, 1998, 5:14 p.m.: 21 IR 3719; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1537; errata filed Feb 26, 2002, 6:00 p.m.: 25 IR 2254; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 547; filed Feb 27, 2007, 2:25 p.m.: 20070328-IR-312060262FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

SECTION 22. 312 IAC 9-7-4 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-4 Muskellunge and tiger muskellunge  
Authority: IC 14-22-2-6  
Affected: IC 14-22

**Sec. 4. (a) Except as otherwise provided in this section,** an individual must not take or possess a muskellunge or tiger muskellunge unless that muskellunge or tiger muskellunge is at least thirty-six (36) inches long.

(b) An individual may take or possess not more than one (1) in total for muskellunge and tiger muskellunge per day.

**(c) An individual may not take a muskellunge or tiger muskellunge unless that muskellunge or tiger muskellunge is at least forty-four (44) inches in length from the following lakes in Kosciusko County:**

- (1) Lake Webster.**
- (2) Backwater Lake.**
- (3) Kiser Lake.**

(*Natural Resources Commission; 312 IAC 9-7-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2718; filed May 28, 1998, 5:14 p.m.: 21 IR 3721; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

SECTION 23. 312 IAC 9-7-6 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-7-6 Black bass**  
Authority: IC 14-10-2-4; IC 14-22-2-6  
Affected: IC 14-22

**Sec. 6. (a)** Except as otherwise provided in this section, an individual may take or possess not more than five (5) black bass in aggregate per day.

(b) An individual may take or possess not more than three (3) black bass from Lake Michigan in aggregate per day. An individual must not possess more than three (3) black bass in aggregate while fishing in or on Lake Michigan.

(c) Except as otherwise provided in this section, an individual must not take or possess a black bass except:

- (1) if taken from rivers or streams in Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, Clark, Jefferson, Switzerland, Ohio, and Dearborn counties the black bass must be at least twelve (12) inches long;
- (2) if taken from rivers or streams, except as stated in subdivision (1), the black bass must be greater than fifteen (15) inches long or less than twelve (12) inches long, with not more than two (2) being greater than fifteen (15) inches; or
- (3) if taken from lakes or reservoirs (including Lake Michigan), the black bass must be at least fourteen (14) inches long.

(d) An individual may take or possess largemouth bass of any length in the following lakes:

- (1) Brownstown Pit in Jackson County.
- (2) Burdette Park Lakes in Vanderburgh County.
- (3) Chandler Town Lake in Warrick County.
- (4) Cypress Lake in Jackson County.
- (5) Deming Park Lakes in Vigo County.
- (6) Garvin Park Lake in Vanderburgh County.
- (7) Glen Miller Pond in Wayne County.
- (8) Hayswood Lake in Harrison County.
- (9) Henry County Memorial Park Lake in Henry County.
- (10) Hovey Lake in Posey County.
- (11) Krannert Lake in Marion County.
- (12) Lake Sullivan in Marion County.
- (13) Ruster Lake in Marion County.
- (14) Schnebelt Pond in Dearborn County.

(e) An individual must not take or possess a largemouth bass unless the largemouth bass is less than twelve (12) inches long or more than fifteen (15) inches long from the following designated lakes:

- (1) Buffalo Trace Lake in Harrison County.
- (2) Celina Lake in Perry County.
- (3) Indian Lake in Perry County.
- (4) Saddle Lake in Perry County.
- (5) Shakamak State Park Lakes in Clay County, Greene County, and Sullivan County.
- (6) Tipsaw Lake in Perry County.
- (7) Ferdinand State Forest Lake in Dubois County.
- (8) Montgomery City Park Lake in Daviess County.

(f) An individual may take or possess not more than one (1) largemouth bass from Turtle Creek Reservoir in Sullivan County. An individual must not take or possess a largemouth bass from Turtle Creek Reservoir unless the largemouth bass is at least twenty (20) inches long.

(g) An individual may take or possess not more than five (5) largemouth bass in aggregate per day from Patoka Lake in Orange, Crawford, and Dubois counties ~~or Dogwood Lake in Daviess County~~. An individual must not take or possess a largemouth bass from Patoka Lake ~~or Dogwood Lake~~ unless the largemouth bass is at least fifteen (15) inches long.

(h) An individual must not take or possess a largemouth bass from Harden Lake in Parke County unless the largemouth bass is at least sixteen (16) inches long.

(i) An individual must not take or possess more than two (2) largemouth bass per day, and an individual must not take or possess a largemouth bass unless the largemouth bass is at least eighteen (18) inches long from the following designated waters:

- (1) Tri-County State Fish and Wildlife Area.

- (2) Robinson Lake in Whitley County and Kosciusko County.
- (3) Ball Lake in Steuben County.
- (4) Loon Pit at Blue Grass Fish and Wildlife Area in Warrick County.
- (5) Bluegrass Pit at Blue Grass Fish and Wildlife Area in Warrick County.
- (6) J. C. Murphey Lake at Willow Slough Fish and Wildlife Area in Newton County.
- (7) **Kunkel Lake in Wells County.**

(j) An individual must not take or possess more than five (5) black bass in aggregate per day from the Blue River located in Crawford and Harrison counties and Big Long Lake in LaGrange County. Each black bass taken from the Blue River in Crawford and Harrison counties and Big Long Lake in LaGrange County must be less than twelve (12) inches long or more than fifteen (15) inches long but not more than two (2) per day can be taken that are longer than fifteen (15) inches.

(k) An individual may take or possess not more than one (1) black bass from Sugar Creek located in Parke, Montgomery, Boone, Clinton, and Tipton counties per day and the black bass must be at least twenty (20) inches long.

(l) If this section prohibits an individual from taking or possessing a black bass from a specified water of the state, an individual must not possess a black bass of the prohibited class on or adjacent to the specified water of the state. (*Natural Resources Commission; 312 IAC 9-7-6; filed May 12, 1997, 10:00 a.m.: 20 IR 2718; filed May 28, 1998, 5:14 p.m.: 21 IR 3721; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1539; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 549; filed Feb 27, 2007, 2:25 p.m.: 20070328-IR-312060262FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Apr 25, 2012, 3:48 p.m.: 20120523-IR-312110358FRA; errata filed Jun 4, 2012, 3:20 p.m.: 20120613-IR-312120283ACA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

#### SECTION 24. 312 IAC 9-7-9 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-9 Crappie  
 Authority: IC 14-22-2-6  
 Affected: IC 14-22

Sec. 9. (a) An individual may take or possess not more than twenty-five (25) crappies per day.

**(b) A crappie taken at Dogwood Lake in Daviess County and Hardy Lake in Scott County must be at least nine (9) inches in length.**

(*Natural Resources Commission; 312 IAC 9-7-9; filed May 12, 1997, 10:00 a.m.: 20 IR 2719; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

#### SECTION 25. 312 IAC 9-7-10 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-10 Sunfish  
 Authority: IC 14-22-2-6  
 Affected: IC 14-22

Sec. 10. An individual may take or possess not more than twenty-five (25) ~~redear~~ **of any combination of** sunfish per day. (*Natural Resources Commission; 312 IAC 9-7-10; filed May 12, 1997, 10:00 a.m.: 20 IR 2719; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24,*

2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)

SECTION 26. 312 IAC 9-7-12 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-12 Walleye; sauger; saugeye

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 12. (a) Except as provided in subsection (d), an individual may take or possess not more than six (6) of any combination of walleye, sauger, or saugeye per day.

(b) Except on the Ohio River, and as **otherwise** provided in ~~subsections (c) and (d)~~ **this section**, an individual must not take or possess a walleye ~~or saugeye~~ unless it is at least fourteen (14) inches long **or a saugeye unless it is at least fourteen (14) inches long from Huntingburg Lake in Dubois County and Sullivan Lake in Sullivan County.**

(c) An individual must not take or possess a walleye from:

(1) the St. Joseph River in St. Joseph County or Elkhart County ~~or from~~;

(2) the Elkhart River from its confluence with the St. Joseph River to the first dam in Elkhart County; **or**

(3) **Lake George in Steuben County**

unless the walleye is at least fifteen (15) inches long.

(d) An individual must not take or possess a walleye from Wall Lake in LaGrange County unless it is at least sixteen (16) inches long and take not more than two (2) per day.

**(e) An individual must not take or possess a walleye north of State Road 26 unless it is at least sixteen (16) inches long with the exception of the following lakes:**

(1) **Lake George in Steuben County;**

(2) **Bass Lake in Starke County;**

(3) **Wolf Lake in Lake County; and**

(4) **Wall Lake in Steuben County.**

*(Natural Resources Commission; 312 IAC 9-7-12; filed May 12, 1997, 10:00 a.m.: 20 IR 2719; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1540; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 27. 312 IAC 9-7-14 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-14 Fish with no bag limit, possession limit, or size limit

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 14. (a) There is no bag limit, possession limit, or size limit for the following:

(1) Alewife.

(2) American eel.

(3) ~~Bluegill.~~

(4) Bowfin.



- ~~(5)~~ (4) Buffalo.
- ~~(6)~~ (5) Bullhead.
- ~~(7)~~ (6) Carp.
- ~~(8)~~ (7) Chain pickerel.
- ~~(9)~~ (8) Chub.
- ~~(10)~~ (9) Cisco.
- ~~(11)~~ (10) Gar.
- ~~(12)~~ (11) Gizzard shad.
- ~~(13)~~ (12) Lake herring.
- ~~(14)~~ (13) Shad.
- ~~(15)~~ (14) Smelt.
- ~~(16)~~ (15) Sucker.
- ~~(17)~~ (16) Yellow bass.

~~(b) Notwithstanding subsection (a), an individual may take not more than twenty five (25) of any combination of bluegill, redear sunfish, and crappie per day from J. C. Murphey Lake at Willow Slough Fish and Wildlife Area in Newton County.~~

~~(e)~~ If a bowfin contains roe, the roe must remain intact and inside the body of the fish while on the body of water or adjacent to the water being fished, and until processing of the fish begins.

~~(d)~~ (c) An individual must not:

- (1) screen;
- (2) wash;
- (3) otherwise process;
- (4) preserve;
- (5) store;
- (6) maintain possession;
- (7) gift to any other individual;
- (8) sell; or
- (9) transport;

roe removed from a bowfin without a roe harvester's license issued under 312 IAC 9-8-7. (*Natural Resources Commission; 312 IAC 9-7-14; filed May 12, 1997, 10:00 a.m.: 20 IR 2720; filed May 28, 1998, 5:14 p.m.: 21 IR 3723; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Feb 27, 2007, 2:25 p.m.: 20070328-IR-312060262FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 2010804-IR-312090616FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

#### SECTION 28. 312 IAC 9-8-4 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-8-4 Commercial fishing on the Wabash River boundary waters

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22-13

Sec. 4. (a) This section applies to commercial fishing conducted on the part of the Wabash River that forms the boundary between Illinois and Indiana and is supplemental to section 2 of this rule.

(b) A license holder under this section may only use a dip-net, hoop-net, fyke-net, basket-net, basket-trap, or trap-net made of twine or cords, ~~with or~~ without wings or leads. A license holder must not use the following:

- (1) Wings or leads ~~constructed of any twine or cord smaller than size 9 (forty two thousandths (0.042) inches) diameter.~~

- (2) A net more than two hundred (200) feet long, ~~including wings and leads.~~
- (3) A net having stretch mesh less than two (2) inches.
- (4) A net that obstructs more than one-half (1/2) of the width of the river.

(c) A license holder may use a seine. A license holder must not use a seine that exceeds one hundred (100) yards in length. A license holder must not use a seine having stretch mesh less than five (5) inches. A license holder must not use a seine that obstructs more than one-half (1/2) of the width of the river.

(d) A license holder must tend each piece of fishing gear not less frequently than once every forty-eight (48) hours and all fish taken by the gear must be removed at that time. Each item of gear must be removed immediately upon the completion of fishing. (*Natural Resources Commission; 312 IAC 9-8-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2725; filed May 28, 1998, 5:14 p.m.: 21 IR 3727; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jan 2, 2013, 3:42 p.m.: 20130130-IR-312120381FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA*)

#### SECTION 29. 312 IAC 9-8-5 IS AMENDED TO READ AS FOLLOWS:

##### **312 IAC 9-8-5 Commercial fishing on inland water**

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22-13

Sec. 5. (a) This section applies to commercial fishing on inland water of Indiana except for the part of the Wabash River that forms the boundary between Illinois and Indiana and is supplemental to section 2 of this rule.

(b) A license holder must not conduct commercial fishing on inland water containing state-owned fish, except for the following rivers:

- (1) The Wabash River downstream from the **southernmost** city limits of Lafayette (**US 231 bridge**) to where the river forms the boundary between Indiana and Illinois.
- (2) The White River downstream from the junction of its east and west forks to where the White River joins the Wabash River.
- (3) The west fork of the White River downstream from its junction with the Eel River in Greene County to the junction of the east and west forks of the White River.
- (4) The east fork of the White River downstream from its junction with the Lost River in Martin County to the junction of the east and west forks of the White River.
- (5) The Patoka River three hundred (300) yards downstream of the dam below the State Road 164 bridge in the city of Jasper to where the Patoka River joins the Wabash River.

(c) A license holder under this section may only use hoop-nets or trap-nets made of twine or cord. A license holder must not use the following:

- (1) More than four (4) hoop-nets or trap-nets.
- (2) A net having a diameter, width, or height of more than six (6) feet.
- (3) A net having stretch mesh less than two (2) inches.
- (4) Wings or leads.**

(d) A license holder must tend each piece of fishing gear not less frequently than once every forty-eight (48) hours. Fish taken by the gear must be removed. Each item of gear must be removed immediately upon the completion of fishing. (*Natural Resources Commission; 312 IAC 9-8-5; filed May 12, 1997, 10:00 a.m.: 20 IR 2725; filed May 28, 1998, 5:14 p.m.: 21 IR 3727; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; errata filed*

*May 13, 2010, 11:13 a.m.: 20100519-IR-312100335ACA; filed Jan 2, 2013, 3:42 p.m.: 20130130-IR-312120381FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

SECTION 30. 312 IAC 9-12-4 IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-12-4 Notations on hunting license**

Authority: IC 14-10-2-3; IC 14-22-2-6

Affected: IC 14-22-11-3; IC 14-22-11-5

Sec. 4. An agent duly appointed by the director under IC 14-22-11-3, or a clerk of a county circuit court, shall note the following:

(1) The hunter education course certification number.

(2) ~~The date the hunter education program was successfully completed by the applicant.~~

(3) An indication whether the license is restricted by the terms of section 3(b)(2) of this rule.

*(Natural Resources Commission; 312 IAC 9-12-4; filed May 27, 1997, 3:50 p.m.: 20 IR 2758; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA)*

**THE FOLLOWING ARE REPEALED:**

**312 IAC 9-1-9**

**312 IAC 9-2-1**

**312 IAC 9-2-5**

**312 IAC 9-5-10**